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MINUTES OF EVIDENCE

ROYAL COMMISSION

ON

INDUSTRIAL DISPUTES IN THE PROVINCE OF BRITISH COLUMBIA

ISSUED BY THE DEPARTMENT OF LABOUR, CANADA

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ROYAL LABOUR COMMISSION

COMMISSIONERS :

The Honourable GORDON HUNTER,
Chief Justice of British Columbia,
Chairman.

Rev. ELLIOTT S. ROWE,

SECRETARY :

W. L. MACKENZIE KING,
Deputy Minister of Labour,

STENOGRAPHER :

FRANCIS W. GIDDENS,
Department of Labour.

EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

TO INQUIRE INTO

INDUSTRIAL DISPUTES IN THE PROVINCE OF BRITISH COLUMBIA

Commissioners { The Hon. GORDON HUNTER *(Chief Justice of British Columbia)* Chairman
Rev. ELLIOTT S. ROWE

OPENING DAY'S PROCEEDINGS.

LADYSMITH, B.C., May 4, 1903.

The Commission read by Mr. W. L. Mackenzie King, the Secretary.

His LORDSHIP, CHIEF JUSTICE HUNTER.—Gentlemen, you have heard the Commission read, and you understand, no doubt, what the object of the Commission is. If there is any one present who would like to make suggestions to the Commission as to what procedure should be adopted to get at the subject matter of the inquiry we shall be glad to listen to him.

Mr. BODWELL.—Your Honour, I appear with my friend, Mr. Luxton, for the Wellington Collieries Company. It has occurred to us that a definite method of conducting this inquiry would be if those interested in it from a labour standpoint, should be represented by counsel, and as has been the practice in some other inquiries of this kind, should occupy the position of plaintiffs, or a position analogous to plaintiffs in a civil action, and speaking of my own thought in the matter it seems to me that it would be more convenient and would facilitate the work of the Commission if some formulated statement of the matters which those on either side wish investigated should be made in the first instance. Then the evidence such as would be thought advisable to bring before the Commission could be called, and the examination would be appointed to a certain end, and in that way we might proceed systematically, and it seems to me that would be the best way to get at the facts. I understand that Mr. Wilson, K.C., of Vancouver, will be here to represent the labour interests.

His LORDSHIP.—Can any one tell the Commission whether Mr. Wilson is to be here ?

Mr. A. A. BARNES.—Your Honour, it is not known definitely as to whether Mr. Wilson is engaged or not, but we presume he is. Our secretary is over in Vancouver

to engage him. I think we can fully expect him on to-morrow morning's train. We would like to ask for an adjournment until to-morrow at two o'clock.

His Lordship.—Speaking for myself, I think the best course would be for the men through their counsel to file a statement of their grievances. If you would get Mr. Wilson to file a statement, then Mr. Bodwell could say what he had to say. Do you think you will have a statement of grievances filed to-morrow?

Mr. Barnes.—We have no authority to state that, but at any rate we will submit it to him.

His Lordship.—We will take an adjournment until to-morrow. I suggest that we adjourn until two o'clock and get the statement by then. The gentlemen present will understand that the Commission is sitting to inquire into and hear everything that is to be said, but in order that the inquiry should be conducted in a proper way we deem it best to have the men file a statement of their grievances on their side, and then, on the other hand, hear what the company have to say in answer to it. It is expected that any men who wish to give evidence will come forward willingly and give what evidence they can. We need not say that every man will be expected to tell the truth, and if it comes to the ear of the court that any intimidation is offered, the Commission will take steps to prevent it. What we want to get at is the truth, no matter whom it hurts. I hope everyone will understand that this Commission means business. In the meantime, we adjourn until to-morrow.

(Commission adjourned to Tuesday, May 5, at 2 p.m.)

Ladysmith, May 5, 1903.

His Lordship.—Before going on with the proceedings I think it is just as well to relieve a misapprehension which may exist as to the purpose of this Commission. We are not authorized in any manner whatsoever to settle any dispute which has arisen between the parties to this controversy. We have no power to make any award or judgment of any kind in regard to the rights of either the men or the company. Now, that being the case, it has occurred to me that it might be well for the parties to consider just what their position is, and what they have to expect from the labours of this Commission. All that we are empowered to do is to inquire into the causes leading up to this strike and report what we consider the cause to the Government, and suggest any remedy which may occur to us for the avoidance of such strikes in the future. Now, we have been empowered by the Government to make a number of inquiries at various points throughout the province. These inquiries will probably take a long time, and the probabilities are that the labours of the Commission will not be completed for a month or six weeks. I understand that the chief cause of controversy arose from the fact that the men, or a majority of them have joined the Western Federation of Miners. Now, we, of course, intend to hear evidence, and intend to inquire into the reason why that action was taken by the men, and to hear from the men why that action was taken, and to hear what the company has to say as to why such action was not considered right. There can only be one of two issues attending the results of this Commission. Either the Commission will adopt, in whole or in part, the attitude of the men that they had the right to join this Federation, or that they had not, and to report to the Federal Government, and then it is for the Federal Government to say whether they approve or disapprove of the finding of the Commission. If the Federal Government approve of the findings of the Commission it is highly probably that they will be in a position to introduce legislation, but it is altogether improbable that the Government will be able to introduce legislation during the present session.

Now, under these circumstances it has appeared to me to be right to suggest to the parties to this controversy that some means be arrived at by which the men may resume their work, pending the decision of the Commission, and the approval or disapproval of the Federal Government. It seems to me if they did that they could not prejudice their position before the Commission, and at the same time they would have the advantage of keeping their families, and thus remain square with the world in the meantime. If the Commission finds in favour of the men, and the Federal Government their finding, there is no harm done. On the other hand, if the Commission disapproves, and if the Federal Government disapprove, there will be no harm done. It seems to me it would be in the interests of the men at all events if they could so arrange as to go back to work. I suppose that will probably mean the abandonment, for the time being, of their connection with the Western Federation of Miners. Even if they did abandon their position, that would not, as far as I am concerned, at all events, prejudice their position in the slightest. It might be felt by some of the men that this would arouse a feeling of hostility in the Western Federation of Miners. If the Western Federation of Miners do take such a harsh view, then I should say, speaking for myself, that the Federation would not be a desirable body for our men to enter into. I think that the men should consider this. I, of course, speak for myself; I do not know how my colleague views the matter.

Rev. Mr. Rowe.—It seems to me that if work could be resumed, it is altogether desirable that it should be. There is a great deal of damage being suffered both by the men and the company, and also by parties not parties to this dispute, who might be called the innocent parties, who are suffering, and public interests are being injured by the continuance of the strike. Either party does not confess or admit any wrongdoing by reaching an agreement whereby work is resumed, and there are no rights, as His Lordship has stated, to be jeopardized by such a settlement. I assume that the chief point of dispute is that mentioned by His Lordship, the matter of the men's relationship to a union, which is more or less technical matter, which will have to be dealt with in some way. It seems to me there will have to be some decision as to the question of trade unions and the relationship of employers and employees, and pending such a decision, a settlement which will take these disputes out of the arena in which they now are, that there is nothing to be gained by suffering the loss which a continuance of the strike will occasion. Then, I think the work of the Commission would proceed considerably better. It seems to me the men might think that going back to work would be a confession of weakness. I understand that this will not be regarded as such. The conclusions of the Commission will be reached from investigations made, and from the evidence produced, and the only effect, to my mind, that such action could have would be to impress me with the idea that the parties were anxious not to cause any injury or any greater disturbance of business relations than they could avoid. I personally would be very glad if such an arrangement could be reached.

His Lordship.—Have counsel any suggestions to make?

Mr. Chas. Wilson, K.C.—I should like to correct what seems to be a misapprehension in regard to what has been called this 'strike.' Our idea is that it is not a strike in any sense of the word, but that it is a lockout. The situation from our standpoint arose in this way. The men first met with the idea that they would like an increase in wages, and they met for the purpose of discussing this increase. They realized that without organization it would be impossible for them to accomplish this; that without a union they would be unable to accomplish the purpose for which they met. They therefore conceived the idea of organization. They then went one step further, and came to the conclusion that it would be better for them to affiliate with a large and important body—the Western Federation of Miners. Believing they would have not only the moral support of this affiliation, and possibly thus obviate the neces-

sity of invoking the Alien Labour Law, which has proved wholly inoperative, and also that in any difficulties in regard to finances, the support they would receive would be very largely extended, they conceived the idea of affiliating with the Western Federation of Miners. The instant that this resolution was passed, a notice was posted directing that the tools be brought out of the mine and the mines closed. Before this, they had seen Mr. Baker, who is a prominent man in connection with the affiliation of unions with the Western Federation of Miners, and a committee was formed to ask Mr. Dunsmuir to open the mines, but he refused to recognize the men in any way as a union. These are statements of fact——

Mr. BODWELL.—It is these very statements of fact which we deny. I think it is a pity, however, to raise any controversial discussion at this stage.

His LORDSHIP.—The reason I made these remarks was to draw attention to the fact that we had no power to settle these disputes. If we had, Mr. Wilson's remarks would be much in point. All I desired to do was to point out to the men what was likely to be the consequence ; that we would be unable to finish our labours in time for the federal government to have opportunity to take action at this session, and we all understand, of course, that men in the position that the men are in, have probably little saved up, and yet are powerless to do anything to compel employers to receive them back. It seems to me that the best thing the men could do is to go back upon such conditions as the employers could be prevailed upon to give, and the men would not prejudice their position. As between the wives and families on the one hand and the Western Federation of Miners on the other, I should think the families have the highest claim upon the husband.

Mr. WILSON.—My only object in saying anything on the subject was to remove what I considered to be a misapprehension in regard to the men having struck work, because that is a misapprehension.

Mr. ROWE.—If this is a case of a lockout it would seem to add strength to the position that the men are not conceding anything if they decide to go back. This would seem to remove any possibility of prejudicing the case.

His LORDSHIP.—I cannot see how the officers of the Western Federation of Miners can take offence if the men they have return to work, and as far as their connection with that body in the meantime goes, it is a case of necessity. If the Federal government decide that the Commission were right, the matter can keep until a year from now, if necessary, but the stomachs of the wives and babies cannot keep until that time.

Mr. WILSON.—I am quite satisfied that the men will appreciate what your Lordship has said, and that the suggestion will receive a most respectful consideration. It is a suggestion that occurs to one, if not easy, of a highly reasonable character. I have received no instructions upon the subject, however, neither do I think the men have considered it themselves.

His LORDSHIP.—I wish to remove the idea that their position will be prejudiced further. It won't be prejudiced one particle, as far as I can see.

Mr. WILSON.—Would your Lordship think it better to go on with the labours of the Commission, or defer it until such a proposition has been decided on?

His LORDSHIP.—I think it would assist if matters were deferred until they have decided.

Mr. BODWELL.—The probability is that unless this is done bad feeling may arise over the matter, and the less bad feeling the better. I presume also that the Commission would like to have the statements of both sides.

Mr. WILSON.—Whether we are right or wrong in calling it a lockout or a strike, the absolute refusal of Mr. Dunsmuir to have anything to do with a labour union at all, remains.

Mr. BODWELL.—That is not our decision. My instructions are that Mr. Dunsmuir has given no instructions whatever to refuse to recognize a union among his own men, but his objection is that the men who work in his mines should affiliate themselves with an organization whose headquarters and constitution are actually out of the jurisdiction of this country. We have, in accordance with your Honour's suggestion, formulated a preliminary statement of our position on that point. It is a matter of principle, it does not arise out of any feeling on Mr. Dunsmuir's part against the men or any desire to intimidate them in any way, but simply as a matter in his own interest that disputes which arise in works of his undertaking should be settled between the parties themselves, and that it only tends to serious loss and direct antagonism on both sides if outside parties, who have no interest in the quarrel, are called in to settle it. That is the position we take now and the stand we will take during the sittings of this Commission, and as your honours have very well said, it is quite possible that without prejudice to our position as well as the men's position, that a *modus vivendi* can be agreed on and do no harm to anyone.

His LORDSHIP.—I think the best plan would be to adjourn until to-morrow at 10.30 o'clock, to give the parties an opportunity to make some arrangement, and time for you and Mr. Wilson to exchange statements and file copies with the secretary.

Mr. WILSON.—We have reached a proposition in which there is a direct conflict of instructions as to whether or not Mr. Dunsmuir was willing to permit his workmen to form a union among themselves. In dealing with this *modus vivendi*, do I understand from my learned friend, assuming that my clients are willing to adopt the suggestion which has fallen, that no objection would be offered to the formation of a union embracing say the whole of Mr. Dunsmuir's employees, and no discrimination against them?

Mr. BODWELL.—I should think it would be better not to ask for terms or make conditions just at the present time. The suggestion which fell from the Commission was this: that the men go back to work without prejudice. It only entails a delay at any rate to begin now the work of terms and conditions to be made. It is better for the men to go back on the same terms and conditions.

His LORDSHIP.—It is desirable that Mr. Dunsmuir should communicate in some way to what extent he is prepared to go in the matter of unions.

Mr. BODWELL.—The statement—in just the bald way in which my learned friend put it—is one which will require a good deal of qualification. In the case of forming simply a union it might take a much larger scope and yet fall within the definition of the words which my friend has used. We must negotiate back and forward and get something definite on both sides. These things can go on now just the same as they have beforehand. It will be necessary for my learned friend to lay down the scope and field, the constitution of the union which he expects to form. That will require time to consider. As a general principle Mr. Dunsmuir stated that he did not and would not discourage organization among his own men, say for instance, if the men in this camp formed a union of its own, there would be no opposition to that, but I have no instructions from him which would authorize me to say that in case of a local union there could be formed a far reaching union. It would all depend on the rules and constitution of the proposed union. That matter would have to be settled first.

His LORDSHIP.—I would suggest that you discuss this matter between yourselves, and you could, at the same time, file your statement, as we want to get some definite issues before us, as our time is limited.

Mr. WILSON.—While I propose to satisfy your Honour that my clients will give every attention to the suggestion that has fallen from you, I feel that they will find themselves in a great deal of difficulty, not with the Western Federation of Miners, but from what I can call the unyielding terms of the *modus vivendi*, in other words, our idea, being that our interests cannot be subserved at all unless we have some form of organization and the suggestion being that that organization should embrace Mr. Dunsmuir's workingmen. I understand from Mr. Bodwell that he had never opposed anything of the kind, and it seems to me, in that case, that if he would consent to that in each case, I would have a definite proposition to lay before the men.

His LORDSHIP.—You and Mr. Bodwell can see each other in the interval.

Mr. BODWELL.—Has my friend got his statement ready ?

Mr. WILSON.—My statement is not yet completed.

His LORDSHIP.—We would like to have you formulate your grievances and make your reply, and state how far you are prepared to go in this matter of unions, and file both with the secretary. Exchange them and file them. I might ask, Mr. Wilson, if you appear for all the employees ?

Mr. WILSON.—There has been a meeting held, I believe, and the fact that I am retained has been carried by a majority, I cannot say that I represent all.

His LORDSHIP.—What I want to get at is if there are any considerable number of men who are opposed to unions and desire to be represented before this commission. There are always some of that class, and these people should be heard as well as the others. If there are any men who wish to be represented they had better inform the Commission—any who are not members of this union.

Mr. BODWELL.—It might be given out that your Honour would hear any one of that class whenever they wish to appear before the Commission.

His LORDSHIP.—I wish to hear every one who wishes to appear before the Commission.

The Commission stands adjourned until 10.30 a.m., to-morrow.

LADYSMITH, B. C., May 6, 1903.

Mr. WILSON.—At the sittings of the Commission yesterday, the suggestion was made by the Commissioners in respect to what may be termed a *modus vivendi* during the time which the Commission would be sitting, the suggestion being that the men should return to work until a report had been made. I stated then that I was unable to consent to anything of the kind. I might state that the union has met since then, and the result, which they have handed to me this morning, is a unanimous one. The suggestion coming from the Commissioners was, of course, entitled to the highest consideration, and it has received that, because there was a very full meeting indeed, the matter was discussed at great length before a conclusion was arrived at. I now hand in to the secretary the conclusion reached.

(Exhibit 3.)

Mr. BODWELL.—Before the resolution is read I would like to have some statement as to how the meeting was called, and who would ordinarily be entitled to vote at such a meeting.

His LORDSHIP.—I don't think you are entitled to inquire into that. The men are entitled to carry on their proceedings in their own way.

Mr. BODWELL.—The company would be entitled to know that this was a full meeting of the men employed in the company's works. The reason I make the statement is that I understand there were at the works when they closed down about 1,000 men, and that there are now about 500 in all in the neighbourhood. The newspaper report says there were only about 260 at the meeting.

His LORDSHIP.—If you desire to elicit any of these facts you can in examination, I suppose?

Mr. BODWELL.—Yes, I suppose so.

The Secretary of the Commission then read the resolution put in by Mr. Wilson, on behalf of the men, as follows :—

(Exhibit 3.)

'Whereas the Chief Justice and members of the Commission to investigate the cause of labour troubles in British Columbia have suggested that, pending the inquiry and report by the Commission, the mines should be re-opened and the men return to work.

'And whereas this local union has taken that matter into consideration, and has arrived at the following conclusions:

'That past experience has taught us beyond the shadow of a doubt that if we at this time comply with the suggestions of His Lordship and the Commission, we feel we would be at the mercy of our employer, and that to now abandon our affiliation with the Western Federation of Miners would be to lose its sympathy and active support, and thereby destroy all unity among the workers. That without the support of a union or organization in sympathy with it, men would now, as in the past, be discharged or in some manner forced to quit work. That no men would dare to move in the direction of organization for fear of discharge;

'Therefore this union respectfully declines to abandon its affiliation with the W. F. M.'

His LORDSHIP.—Speaking for myself, I can only say I regret very much the decision come to, as I think the men's stand is likely to prejudice their case in the mind of the public. Coal mining is an absolute necessity—all the country must have coal. All I can say is that if the men went back to work they would not prejudice their case in the slightest. However, the men are the best judges of their own case.

Mr. BODWELL.—I would like to say that so far as the company is concerned, the fears expressed in the resolution are groundless.

Mr. WILSON.—That is a mere statement. The statement made by the men is founded upon experience.

His LORDSHIP.—I have no doubt of that, Mr. Wilson. I should have thought that the Western Federation people would be very willing to take the men back in the course of a year or so, when the Commission or Parliament came to a conclusion in the matter. I suppose we had better go on.

Mr. WILSON.—Is it proper to ask what course the tribunal will take with respect to the evidence? I may state, and I think it is proper to do so, that we are not in any sense accusers. We have done something which the law permits us to do, and what from our standpoint is perfectly just, and having done that, we are debarred from work. It seems to me that the act of closing the mines does not lie upon us.

His Lordship.—You have altered the *status quo*.

Mr. Wilson.—We have altered it by lawful act.

His Lordship.—At all events you cannot complain, if we take the same course that was taken in regard to the anthracite strike in the United States, and in that case the miners were called upon to take the course of plaintiffs in a civil case.

Mr. Wilson.—That was the course adopted in that case? Very well. We will bring forward some evidence in support of the soundness of our position, and I think it will be first in order to show the nature and objects of the organization which the men have joined.

His Lordship.—It is very desirable to have all the light possible on that subject.

Mr. Wilson.—I think possibly the best man I can call for that purpose is to ask Mr. Baker to give evidence.

Mr. Bodwell.—We were to have a written statement.

His Lordship.—Yes, we asked for a written statement on each side, to be handed to the secretary.

Mr. Wilson.—I have no objection. I may state that the only grounds we allege for the present case are the mine owners' refusal to employ men affiliated with the Western Federation of Miners, the mine owners' refusal to employ men conected with any union, and the general hostility shown by the mine owners to any organization. Our suggestion is that these causes are primarily responsible for the existing trouble. We further say there has been a grievance in forcing men who reside in other parts of the locality to live at Ladysmith, the town site owned by the mine owners, as a condition of their employment.

(Statements of both parties exchanged; Wellington Colliery Co.'s Statement, Exhibit 1; Miners' Statement, Exhibit 2.)

His Lordship.—You had better sign a copy of your statements, both of you, and file with the secretary. Just state under your signature for whom you are acting.

Mr. Wilson.—I will call Mr. Baker.

James A. Baker, sworn.

By Mr. Wilson :

Q. Where do you reside, Mr. Baker?—A. Slocan City, B.C.

Q. And at present what is your occupation?—A. I am a member of the executive board of the Western Federation of Miners, as general organizer and looking after the interests of the organization.

Q. Throughout the whole of British Columbia?—A. Yes.

Q. Have you been connected with the Western Federation for any length of time?—A. Since 1899.

Q. The original organization was formed when?—A. About 11 years ago ; about 1892 or 1893.

Q. By the way, are you of Canadian birth?—A. Yes, sir.

Q. You are still a Canadian?—A. Yes.

Q. Are you on the voters' list?—A. I am.

Q. Will you please state to the Commissioners what the purpose and objects of the Western Federation are? Have you a copy of the constitution and by-laws with you?—A. I have.

Q. I wish you would be kind enough to hand it in.

(Copy of by-laws handed in, Exhibit A.)

By His Lordship :

Q. That is a copy, Mr. Baker, of the by-laws up to date?—A. Yes, sir.

By Mr. Wilson :

Q. I see the last time it was amended was in May, 1902, and there has been no amendment since, Mr. Baker?—A. No amendment since.

By His Lordship :

Q. There are no other by-laws in force other than what are here?—A. Those are the general by-laws; there are local by-laws in each local union.

By Mr. Wilson :

Q. Other than the book you have handed in, there are no further by-laws governing the central organization?—A. No.

Q. May each local union, subject to the constitution of the central body's constitution, make its own by-laws, for its own government?—A. Yes, sir, so long as it does not conflict with the constitution of the central body.

Q. Will you be kind enough to take that book, and please tell the Commission what the purpose and object of the Western Federation of Miners is?—A. It is on similar lines to those of general organizations. The main object is the betterment of the condition of the working classes, mentally, socially, intellectually and financially.

Q. Without actually reading the whole book, how do you generally attempt to carry out these objects?—A. By the educational feature which is derived from the interchange of ideas, that is, being as closely in touch with each other as possible, giving to each other the benefit of experience derived from time to time and advanced throughout the membership.

Q. Will you describe now the mode of government, the manner in which the central organization is governed and its business conducted, and then we will go on to the manner in which the locals become members of the central body?—A. The central organization is governed directly by the constitution, unless an emergency arises, when there is power in the hands of the executive committee to deal with such an emergency. The mode of government of the organization is wholly in the hands of the members. The legislation is under the executive rule in all cases.

Q. That is article 10, section 1, is it not?—A. Yes, that is right.

Q. Of what is the central body composed?—A. It is composed at the present time of a president and vice-president, a secretary-treasurer and an executive board of six additional members.

Q. With respect to the internal management of the organization I don't imagine the Commissioners care very much, but they will probably like to know something of its method of dealing in relation to the formation of new unions, the powers of new unions, and the duties of their officers?—A. In forming a new union, the aims and objects of the organization are illustrated by the organizer as thoroughly as he may be able, and their duties explained as members of the organization. The local union has total jurisdiction over its own affairs subject to the conformity to the constitution of the Federation. The local union makes its own by-laws subject to the constitution of the general organization, and they transact their own local business in so far as it does not conflict.

Q. Now coming to one of the most important questions, the manner in which a local organization or the central body might act in disputes which might or might not culminate in a strike. What are the powers with respect to that? A. It is defined in article 5, section 1 of the constitution.

Q. I think I would like to have that article read? A. (Article read by witness):

'It shall be unlawful for any union to enter upon a strike unless ordered by three-fourths of its resident members in good standing voting. Such questions shall be decided by a secret ballot at a special meeting called for that purpose, after having received the approval of the Executive Board of the Western Federation of Miners. Should any employer or employers attack the rights of the members of a union or its established principles without allowing the union sufficient time to notify the Executive Board of the proposed change, then the members shall have the right to declare a strike to maintain their rights. In this they shall be assisted by the Executive Board.'

By Mr. Bodwell :

Q. Read the next clause, please, Mr. Baker, the next section.—A. (Witness reads section 2, same article).

'Any contract or agreement entered into between the members of any local union and their employers as a final settlement of any difficulty or trouble that may occur between them shall not be considered valid or binding until the same shall have the approval of the Executive Board of the Western Federation of Miners."

By Mr. Wilson :

Q. What is your experience of the effect of the working of that second section?—A. I have never seen that section exercised yet. It is simply a protection of the non-violation of the constitution as I understand it.

By His Lordship :

Q. You mean you have no instance where a settlement has been arrived at as to a local union in British Columbia where the Western Federation has not interfered, it has to be submitted for approval?—A. Yes. The executive board is not the final authority; the convention, as represented by the local unions has authority over the executive board.

By Mr. Wilson :

Q. How is that convention called together?—A. By representatives from all the locals of the organization. Each union in good standing is entitled to one representative for each 100 members, and small unions under that number are entitled to one representative.

Q. Over and above the executive board there would stand a convention of the whole organization?—A. An appeal on any question can come before the convention. There can always be an appeal from the executive.

By His Lordship :

Q. How is this convention held?—A. The convention is held annually, and at the close of one convention a discussion as to the headquarters is had, and the place of the next convention chosen.

Q. Thus an appeal could not be heard for a year, if it occurred immediately on the close of a convention?—A. Yes.

By Mr. Wilson :

Q. You have never known an instance where the central authority have interfered with a settlement made by a local union and employers, as far as your experience goes?—A. No sir.

JAMES A. BAKER—Ladysmith, May 6.

By His Lordship :

Q. Can you tell us in what case the central authority would be likely to interfere?—A. It would arise in case an adjustment was made entirely at variance with the constitution of the organization.

Q. Could you put your finger on one specific principle so as to illustrate a case in which the central power would intervene?—A. I do not know that I can.

Q. For example, what violation of the constitution would warrant interference under section 2 with the conclusion arrived at by a local union?—A. Well, I do not know how to illustrate that intelligently. It might be, for instance, where there were a number of local unions in a given locality. Take the question of wages. If some local made a single arrangement which would affect the status of more than one union, I am satisfied the organization would not approve; that while the rate of wages is governed by the rate in that locality, if it was affecting the locals adjoining, the organization would probably not approve.

Q. I think I can understand how it might arise. Suppose it might arise in the case of a small union interfering with the rate of wages of several hundreds scattered around in other local unions?—A. Yes, it would break the established principle of interfering with others.

Q. What would be the consequences if the central authority disapproved?—A. It would, in all probability, come before the convention.

By Mr. Rowe :

Q. What would the immediate effect be, pending the meeting of the convention?—A. It would be hard for me to say what the immediate effect would be. It might be the suspension of the charter.

By His Lordship :

Q. That is, if the local union did not recede from its position?—A. Yes.

By Mr. Wilson:

Q. And the suspension of the charter would mean that during the time of suspension they would cease to have the rights of the organization?—A. Yes.

By Mr. Rowe :

Q. That union would not be represented at the convention?—A. Well, no, but they would have the right to a hearing there.

By Mr. Wilson :

Q. Would the central authority suspend the charter, or would it require a vote of the convention?—A. If the executive board came to the conclusion that the members of the union had acted in violation of the constitution they would assuredly suspend the charter, pending an investigation.

Q. Following out Mr. Rowe's suggestion, if the members of that union had been suspended, in general convention would they be entitled to vote?—A. That would depend on circumstances. I believe such a case would be the first. If it was decided that they had a right to their charter they would certainly have a vote.

By Mr. Rowe :

Q. But it might be a very close vote, so that one or two might turn it in either direction, and the vote of the suspended union might have the effect of turning it in one direction or the other?

Mr. Bodwell.—I might suggest to the Commissioners that Mr. Baker is not capable of pronouncing an opinion, he has not a case in point, and he cannot give us the document.

JAMES A. BAKER—Ladysmith, May 6.

His Lordship.—He can only give his word.

Mr. Bodwell.—It is really asking Mr. Baker to argue the case on the constitution.

Mr. Rowe.—Is there any definite statement in the by-laws?

His Lordship.—As I gather it, he has told us the union would not be entitled to a vote, but would be entitled to vote in the decision.

Witness.—You will find in article 7 two sections practically on this point in the constitution.

By Mr. Wilson :

Q. Is the business of the organization so carried on that the men who come under its control may be ordered on strike if no grievance occurs in the course of their own employment?—A. No. They might be requested under certain conditions to go out in sympathy with a neighbouring union. That could only be done in this way. If a neighbouring union of the Western Federation of Miners was in trouble with an employer, and the employers of the local union in question came to the assistance of that corporation or individual undertaking to take their business off their hands to assist them in defeating the organization in their struggle, then they would be requested by the organization to co-operate with them.

Q. But is there any power to compel them to do it?—A. No.

By His Lordship :

Q. What would prevent the central authority suspending such a union if it did not go on strike?—A. There is no provision of the constitution which enables them to do it.

By Mr. Wilson :

Q. In a case of this kind the central authority have no power to do so?—A. The central board and all the officers are simply servants of the organization, and can be called from office at any time.

Q. Is there any power in the central body or organization which might compel men to leave their employment in consequence of some particular agitation in a foreign country, in which the organization has no interest whatever?—A. None, except in the manner in which I have spoken of. That feature would not apply to any particular locality. From our standpoint it would be immaterial where it was, if it was members of the organization that were receiving this injury.

Q. In other words you know no boundary line, as far as your organization is concerned, just the same as an employer does not in regard to employing men?—A. No, sir.

By His Lordship :

Q. Assuming in a case of this kind that the local union submits to some infraction of the union at the instance of an employer, has the central body authority to suspend the union for submitting to that?—A. Under the first section—in reply to that I might read it—

"'Any union failing or refusing to comply with the Constitution and By-laws shall for the first offence be suspended from the privileges and benefits of the Federation for three months, and for a second offence six months, or be expelled, as the Executive Board may determine.'

Q. I mean a case of this kind, if a local union was submitting to some infraction of the constitution in order to avoid trouble?—A. No, the constitution is very elastic in that particular, that every honourable means shall be used to avoid resort to extremes.

Q. Has a local union the final decision as to whether or not an employer is unfair?—A. No, when they rebel against an existing condition it has to be submitted to the central board. It is submitted to the executive board before they are granted the support of the organization.

Q. If it comes to an officer of the Federation that a local union has submitted to an infraction in order to avoid trouble with an employer, would the central body have power to suspend that union?—A. If it came to the notice that an infraction of the constitution was being made it would be the duty of the local union to bring it up before the central organization.

By Mr. Wilson:

Q. And that having been done the attention of the local union would be called to the violation by it?—A. Yes, it would be investigated if it were considered a serious grievance in that way.

Q. Is there anything in your constitution or by-laws, or the manner in which you carry on your business which would enable the central authority to close the mines?—A. No sir, there is no such authority.

Q. Not even to increase the business or raise the price of coal in the United States?—A. No, sir.

Q. Is your organization then absolutely free from national prejudice?—A. It certainly is. I speak advisedly.

Q. In other words, you know no difference in race, language or creed, except that it is among white men?—A. Well, yes. I think there are black men included though, both white and dark men.

Q. Is there anything in your constitution or by-laws, or the manner of conducting your business which would justify the statement that it would be possible to extend the field so as to recognize the right of a foreign authority in the industrial affairs of British Columbia?—A. Not in any case.

Q. There is nothing to justify a statement of that kind?—A. No, nothing.

Q. Is there anything further which you think you would like to tell the Commission with respect to the objects or purposes of the Federation? I may omit something. You are at liberty to tell the Commissioners anything you can think of which will throw light on the manner in which this Western Federation of Miners carries on its affairs?—A. It is an organization made up wholly of the workingmen themselves. They control and handle it. Its officers are simply the servants of the organization to carry out its constitution as it is arranged annually at the convention, and under the convention submitted to the referendum before it becomes the law of the organization. The officers are simply there to carry this out.

Q. And then in the case of a strike, they must obtain the consent of the central authority?—A. It is the only position the central body takes in a strike. They have no authority to call a strike. It has to be submitted to them for approval, through the member of the executive in the district.

By Mr. Rowe:

Q. What is the district in British Columbia, you used the words 'of the district?'—A. I will read from the book:—

(Sec. 10 Art. 3.)

'The territory covered by the Western Federation of Miners shall be divided into the following districts:

'No. 1.—California, Nevada and Arizona.
'No. 2.—Washington, Oregon and Idaho.
'No. 3.—Montana and Wyoming.
'No. 4.—Colorado, Utah and New Mexico.
'No. 5.—South Dakota, Kansas and Missouri.
'No. 6.—Territory north of United States boundary.

'Each of the districts herein designated shall be entitled to one representative on the Executive Board exclusive of the general officers, said representative to be an actual bona fide resident of the district he represents.'

By Mr. Bodwell :

Q. As I understand it, Mr. Baker, the territory north of the International boundary line is one district?—A. Yes, at the present time.

Q. How far east does that go? It goes to the Mississippi river does it not, just one district?—A. I will try and make that as intelligible as I possibly can. So far our work has been largely confined to British Columbia, although we have a couple of organizations in Alberta. As organization is growing it is now recommended to have another representative from this part of the country. The one representative chosen has authority under the constitution to represent the whole of Canada.

Q. The executive board is constituted by one representative from each district. Now what territory will be included in the district for which British Columbia would have a representative, as the constitution now stands, how far east and how far south?—A. At the present time it is not operating east of Alberta.

Q. In the United States, how far is it?—A. There is no prohibitory line in the constitution.

Q. I want the inclusive line—the limit line?—A. Would not the limit mean prohibitory?

Q. I don't want to argue over words—you know what I mean. British Columbia has one representative on this executive. Now how much does his territory include?—A. The actual territory where we have already got organization is confined to British Columbia and Alberta. This territory lies north of the United States boundary line. All Canadian territory would be just one district.

Q. And then Washington, Oregon and Idaho would be one. Is this district supposed to come any further than Nevada would?—A. We extend the field as fast as we can get to it.

Q. Is it intended to include Western States and Canada?—A. It was named the Western Federation and the name has not been changed. It was formed first from a limited number of local unions. Then they federated together, and it was named the Western Federation of Miners still.

Q. It was organized for quartz miners?—A. The majority are.

Q. You have no organization in the coal mines of Washington?—A. I do not know whether there are any.

Q. The coal miners of Washington are not in the Western Federation?—A. I don't think they are.

Q. Do you happen to know how many coal mines are operating in Washington?—A. No.

By His Lordship :

Q. How is it they have not come into the Federation?—A. I can hardly say except by inference. I became more intimate with the situation more recently from information gathered here. I think it is simply that the field has not received the attention that it should have by the representative of that district.

By Mr. Rowe :

Q. At present these coal mines are not in the Federation—you are sure about that?—A. I do not know. If they are, there are not many.

JAMES A. BAKER—Ladysmith, May 6.

By His Lordship :

Q. Do they belong to any other organization?—A. I do not know; that is territory I have not been in, not in the coal district.

By Mr. Bodwell :

Q. Your constitution is expressed in the first two pages, the preamble is supposed to contain the principles of the constitution, that is in general terms?—A. It is supposed to.

Q. I will quote from the preamble:—'To establish as speedily as possible, and so that it may be enduring, our right to receive pay for labour performed in lawful money and to rid ourselves of the iniquitous and unfair system of spending our earnings where and how our employers or their agents or officers may designate. To secure the introduction and use of any and all suitable, efficient appliances for the preservation of life, limb and health of all employees, and thereby preserve to society the lives and usefulness of a large number of wealth producers' and so on. I simply read one or two of these passages to show that the principles of the constitution are expressed here?—A. Yes.

Q. Now the executive body is elected at the convention, and that executive body interprets the constitution?—A. Yes.

Q. So that the question whether any particular act falls within the constitution must be determined by the executive body?—A. Yes, they are the interpreters.

Q. And they are also the body to act on that interpretation?—A. Yes.

Q. The only power the convention has is to alter or amend the constitution, is it not?—A. They can overthrow any rule of the executive board on any question.

By His Lordship :

Q. Can the convention over-rule by a fair majority?—A. Yes.

Q. Suppose a question arose in British Columbia, that convention would only have, according to the number of unions, one delegate for every 100 men?—A. One delegate for each union of 20 members or more, and one for each 100 members.

By Mr. Bodwell :

Q. But there are a great many more unions in the United States than in British Columbia, and from the nature of things there always will be a large majority in the United States?—A. That is a forecast, of course.

Q. The executive body would have the right, supposing a certain principle was being carried out in the United States, to say that it was against the constitution, would they?—A. A majority of the executive board, yes.

Q. Is it not a practice of the executive to procure strikes or request strikes for the purpose of obtaining recognition of a principle?—A. Never that I know of. They have no such authority in the constitution.

By His Lordship :

Q. They have no power to order, but can request?—A. The request was made on one occasion. They requested the men at Michel to come out.

By Mr. Bodwell :

Q. Suppose the executive should decide that a certain principle of action ought to be adopted in the interest of the Federation, how would they enforce that directly—the adoption of that principle?—A. A new principle that had not been embodied before?

Q. No, that a certain principle of the constitution, a specific thing. Suppose they decide that a certain particular form of mining, say, for instance, was within the principles of the constitution, they would be entitled to say so?—A. They might pass an opinion.

JAMES A. BAKER—Ladysmith, May 6.

Q. If they pass an opinion is there any way of enforcing that?—A. No.

Q. Could they order a strike in mines where that principle was not acted on?—A. You are speaking of something which has never come under my observation.

Q. You are here partly to tell us what has come under your observation and partly to interpret the constitution?—A. You are asking me for forecasts.

Q. I ask your opinion as an expert on this constitution. Could they not recommend a strike in a locality where that principle was not being carried out.?—A. There is no provision in our regulations whereby the executive board has authority to recommend a strike.

Q. You said they requested the men at Michel to come out, it was the executive body who made the request?—A. Yes, the request originally came from the other union.

Q. As far as the Michel union were concerned, they were requested to come out on strike, so that shows that where the executive think it proper they can request a union to strike?—A. Well, it is an unwritten law. It is understood the same as where an employer gives assistance to another employer.

Q. Yes, I know, but the power is there, the executive act if they see fit?—A. Yes.

By His Lordship :

Q. Can they request by themselves, or must it come from another local union?—A. By the other union.

By Mr. Bodwell :

Q. The Fernie union were on strike; they wanted to get the Michel union out. They requested the executive, and the executive requested Michel. Now you say that Michel could not be ordered out except by their own vote. Suppose the Michel union had refused to go out at the request of the executive, would it have been in the power of the executive to bring that matter before the convention—the fact that the men had refused to go out—have they that power?—A. Their action is subject to the approval of the men at large.

Q. The initiative and referendum is the only clause you have on that, so that if the Michel union refused to obey the order of the executive they would have expected that that would be brought up at the convention, and would reasonably anticipate that the convention would support the executive. In the case of a strike requested by the executive would not the local union have reason to suppose that the convention would support the action of the executive?—A. Well, they might support it morally, but as to what extremes that support would go, it would be a matter of a particular case, of course. So far as my experience goes they have taken the view that it was necessary for something to be done to get men to see things in the right shape.

Q. I want the general principle. Would it not be a fact, to take that particular instance, that unless the Michel union could be satisfied that the majority of the unions belonging to the Western Federation of Miners, were on their side that their charter would be suspended if they did not go out on that request?—A. No, I don't think so.

Q. Why not?—A. There is no provision for it.

Q. The executive, at the request of the Fernie union, requested Michel to come out on strike in sympathy; that is a particular case in point?—A. Yes.

Q. That is an actual case. The Michel union must either accept or refuse that request. In considering what they would do these are the things they would have to bear in mind. First, if they refused, the executive or any member of the executive, or a representative of any other union could refer that matter to the convention—that is the first thing?—A. It could be referred.

Q. Then the convention have the power of suspending the charter?—A. Not for that cause.

JAMES A. BAKER—Ladysmith, May 6.

Q. Why not?—A. For this reason; this executive board is only composed of so many members.

Q. I say the convention have the power, when they see fit to suspend that charter of the Michel union?—A. Not under our constitution; there is no provision that they have made a breach in the constitution when they have made such a request.

Q. The interpretation of the constitution is in the executive body; they are the ones to determine whether or not any particular thing is against the constitution?

By His Lordship :

Q. The local union is not subject to suspension because it refuses to go out on strike?—A. The request does not come from the executive board for a union to go out on strike. When a local union requests anything the sanction of the executive board is obtained to that request. Michel were out without saying anything to any executive officer. I requested them to go back, which was done.

Q. The local union is not subject to suspension by either the executive or convention if it refuses to go out on strike?—A. It certainly is not.

Q. Show me that in the constitution?—A. I cannot.

By Mr. Bodwell :

Q. Suppose that the Fernie union were striking for recognition, that is a legitimate cause of strike?—A. Yes.

Q. Suppose that the Fernie union requested the executive to call out the Michel union in sympathy with that movement, that would be legitimate, would it not?—A. They have the right to make that request.

Q. Suppose the Michel union refused to go out on that ground?—A. They have the right to make such a reply.

Q. And you say their charter could not be suspended for doing that?—A. That is my opinion.

Q. Do you mean to say that the whole body of the Western Federation could not act on that principle?

His Lordship.—I suppose Mr. Bodwell, they could exclude any union they chose. As I understand it, the constitution provides for cases in which suspension can be ordered.

By Mr. Bodwell :

Q. What is the provision?—A. It is in article 7, section 1.

Q. (Quotes) 'Any union failing or refusing to comply with the constitution and by-laws shall for the first offence be suspended from the privileges and benefits of the Federation for three months, and for the second offence, six months, or be expelled as the executive board may determine.' Do you read that to be the executive board simply who have the power?—A. They render the decision. It is subject then to the succeeding convention. The right to appeal from their decision on any question is established there.

Q. We may take this—that the executive may request sympathetic strikes, that is admitted is it not?—A. They may sanction it. I do not know of anything prohibiting them from doing it. I have never seen a case.

Q. When one union is out on strike they naturally want to get as many out as possible? Is that not known to be so? We know in the case of the Brotherhood of Railway Employees—

Mr. Wilson.—I would not make these statements without some evidence to support them. I do not think that my learned friend is entitled to make these statements.

JAMES A. BAKER—Ladysmith, May 6.

His Lordship.—We know that sympathetic strikes have frequently been ordered in the past. It is one of the difficulties of the whole situation.

By Mr. Bodwell :

Q. Now, these conventions are held in the United States?—A. Yes.

Q. The questions that come before the conventions for consideration principally relate to matters arising in the United States?—A. A large number of circumstances arise there.

Q. Would it not be a fair thing to say that the conditions which prevail in the United States would determine the policy of the executive with reference to conditions in British Columbia, if they were affiliated with the Western Federation of Miners?—A. It is not affected in that particular at all. Each local organization deals with its own conditions.

Q. As far as a strike is concerned, but not as far as a sympathetic strike is concerned?—A. A sympathetic strike is very rare in this organization. It has different employees, different corporations.

Q. As a principle that must be so, must it not? Once you admit the principle of sympathetic strikes, then from the nature of things, the conditions in the United States with reference to labour, would control British Columbia, if British Columbia workmen were in this union?—A. No.

Q. Why not?—A. For the simple reason that the local unions in British Columbia are a part and parcel of themselves. They control their own affairs; they fix their own wage scales, their conditions of employment and all that sort of thing.

Q. Suppose the executive should determine that in the interests of the miners of the United States a certain line of action should be taken. Once you admit the right of sympathetic strikes, you necessarily admit a position of control from the United States?—A. It is not a position of control.

Q. Not a condition of legal control, but a condition of practical control, by reason of the power of their interference. Is not a request, given with a great deal of force, practically a command? Is it not the idea of the organization that the request shall practically amount to a command?—A. The executive is not supposed to do these things. If it is a matter of organization they are. They are not to do the thinking any more than the membership at large.

Q. The government of the association depends upon the action of the convention to a great extent?—A. No, the action of the convention is a part of the duties. The regulation of the government comes from the locals.

Q. I suppose you will admit that the majority in that convention, from the necessity of things, must always be in the United States?—A. Yes, I suppose so.

Q. And as far as that much is concerned, you are putting the British Columbia unions under the unions in the United States?—A. I think not, there is no such feeling in our organization.

Q. Is it not an actual fact?—A. They are not in control.

Q. The majority rules—that is a principle of your Federation?—A. Yes.

Q. And the majority must be in the United States?—A. Yes, I suppose so.

Q. And the majority of the executive board must be in the United States?—A. Yes.

Q. Then as far as the moral influence of the majority is concerned it must be against British Columbia?—A. Yes.

Q. And from a business man's point of view and an employer's is it not fair to consider that the control is there?—A. I do not think so.

Q. You say you do not think so, from what you know of the practical working, but you must admit the abstract condition is there; it could be changed into a practical condition?—A. The national line is obliterated, so far as our position is concerned, entirely.

JAMES A. BAKER—Ladysmith, May 6.

Q. But you cannot obliterate business conditions?—A. We found it was obliterated when men were wanted to take our places in British Columbia.

Q. What do you refer to particularly?—A. The importations of men brought in to take the place of men on strike.

Q. This refers to the Alien Labour Act.

Mr. WILSON.—The Alien Labour Act is waste paper.

By Mr. Bodwell :

Q. You think that would be wrong, I suppose, to bring in men from the United States to take the places of union men in British Columbia mines. Suppose now—here was the Fernie strike—did you happen to know about it, were you there when it started?—A. No.

Q. Is it right to say that only a very small proportion of the men on the ground voted for the strike in the first instance?—A. I believe it is.

Q. How did the strike originate then?—A. There was only a minority of the men in the union at the time.

Q. I have been told that less than 18 per cent of the men precipitated the strike at Fernie?—A. I think that is an error. I am sure it is. It was largely hearsay how many men were working. I have never gone into the facts to find out exactly the number. It might not exceed 20 or 25 per cent.

Q. You will say that 25 per cent of the coal workers joined the Western Federation to begin with?—A. I cannot say that. They joined the Western Federation some three years ago.

Q. I understood you to say there were only a small portion of the men at Fernie?—A. That were in good standing.

Q. A two-thirds majority of that proportion voted for a strike?—A. Yes, they explained to me that they had the approval of a large majority of those men who were not represented in the union, but of course from an organization standpoint we only considered the position of the union, the men represented in the union.

Q. So there was 25 per cent of the coal workers at that time who were properly members of the Federation, that a proper majority of that 25 per cent voted for the strike, and the Federation approved it. Would it be right to say that if the remaining 75 per cent had stayed out that they would have been called scabs?—A. I don't want to avoid your question, but without that understanding among themselves, these very men you speak of, I do not think the strike would have been called.

Q. We will say for purposes of argument that that is so, we will put that particular case, as an illustration. If the 75 per cent had stayed out on strike would they have been called scabs?—A. Well, that is another of those imaginary cases.

Q. There were 25 per cent of these men voted a strike?—A. It was carrying out a provision of the constitution that men must be in good standing to vote. All I know of that situation is hearsay, press reports and so on.

Q. If a man declined to go out on a strike that the executive approved of, would he be allowed to work in other places where the Federation had a union?—A. He would not be looked on as a fair man.

Q. That means he can't work where union men are employed?—A. Not always.

Q. It is the general meaning, is it not—that he cannot work with union men if he is called an unfair man?—A. There are cases where these things have been adjusted.

Q. The general rule is as I have said?—A. Men regarded as unfair, union men don't want to work with them.

Q. Now, you tell me that one of the objects of the Federation is to advance the position of the union by the circulation of literature. The Western Federation publish a magazine, do they not?

JAMES A. BAKER—Ladysmith, May 6.

His LORDSHIP.—Are you going to put that in?

By Mr. Bodwell :

I was going to ask if that is a fair sample of the kind of literature the Western Federation aim to circulate.

Q. That is the official organ?—A. Yes.

Q. Have you read the magazine this month?—A. I have just glanced at it.

Q. Do you think the articles there are inclined to advance intelligence and bring about wide harmony between employers and employees?—A. I do not know that it is my place to criticize.

Q. Perhaps you would rather not give an opinion. The document, however, speaks for itself.

By His Lordship :

Q. Are you going to put that in?

By Mr. Bodwell :

I want to read one or two extracts from it.

(Miner's Magazine, April, 1903, put in and marked Exhibit B).

By His Lordship :

Q. When you say it is the official organ, you mean it has the approval and sanction of the membership at large?—A. Yes, of the majority at large.

By Mr. Bodwell :

Q. The whole first part of this magazine seems to be taken up with a description of the men on strike in Colorado. I will read one or two extracts: 'On the 14th of February the Mill and Smeltermen's Union No. 125 of the Western Federation of Miners, were forced to strike a blow on the industrial field against the arrogance of the mill trust, whose employees were denied the right to organize for self-protection under the penalty of forfeiture of employment' and so on. This was a strike there for recognition the same as here?—A. Yes.

Q. And a great many of these strikes are for recognition?—A. It is termed that way.

Q. Because an employer does not want an organization amongst his men, and he discharges men who had joined the organization, and the organization ordered a strike until he should submit and recognize the union?—A. Yes.

Q. Was there any sympathetic strike there?—A. Yes.

Q. How did that strike come out?—A. What I have learned about that I have gathered from the press.

Q. (Quotes) 'When the Western Federation of Miners invaded the domain that was considered sacred to MacNeill, Fullerton and Peck, and organized the Mill and Smeltermen's Union, corporation coin secured the services of a Benedict Arnold in the union by the name of A. K. Crane, who for Judas money prostituted his manhood and betrayed his fellowmen by furnishing the corporations the names of every man who sought shelter in the membership of the Western Federation of Miners.' Now, is it a fair thing to say that this is the way in which a man who does not agree with the union is usually referred to?—A. Speaking from a personal standpoint, I do not resort to such things myself, even though I have been alluded to in much the same way.

Q. This is the official organ. Is it a fair thing to assume that a man who does not agree with the union may expect to see statements in the official organ in that way? It seems that this man had been guilty of reporting the names of men under him who had joined the organization, and he is characterized in the official organ of the Federation in this language. Suppose Mr. Dunsmuir told one of his foremen to report to

him the names of any men under him, and he was a member of the Federation, would he expect to be spoken of in the official organ in this way?—A. Well, I don't know, I am not in a position to judge the editor.

Q. Has he a free hand, do the executive exercise any control of him?—A. They exercise a certain control, but the executive is not in session at all times.

Q. Here we have a letter from George F. Doherty, do you know him?—A. He is a resident of Greenwood.

Q. Has he any official place in the Western Federation of Miners?—A. He is president of the British Columbia District Association.

Q. So he may be taken to be speaking with authority when he writes?—A. I don't know about that. A man expresses a personal view. I don't know that he is speaking officially.

Q. Do you think it would be calculated to produce a good state of things if Mr. Doherty should take it into his head to write and publish a statement about Mr. Tonkin? Here is one clause of Mr. Doherty's letter. Mr. Doherty pronounces Manager Tonkin as 'the most unscrupulous scoundrel that God Almighty ever permited to tread the earth.' Is that calculated to produce harmony?—A. I do not use those kind of terms myself. If you wanted to get my opinion of Mr. Tonkin I would try and take a different way of expressing it.

Q. Do you think this kind of literature should be furnished to the men?—A. That is a communication.

Q. It is a communication from an officer of the organization in the official magazine of the organization. May we expect that in Ladysmith that is the kind of literature that is going to be circulated officially with the men belonging to the Western Federation?—A. That is just what the membership see fit to make it.

Q. The majority appears to be a foreign influence—a majority out of British Columbia. I am asking you if we may expect it. Here is another thing, a manifesto from Park City, Utah: (Quotes) 'The United States Government is arming 100,000 more murderers to assassinate labour, and still some toil worn fools sleep on! Come, ye uniformed butchers to the slaughter your Neroes prepared for us! We welcome you with bloody arms to the graves your tyrants dig for labour! The star spangled banner of barbarism that floated over the blue-bellied Hessians in the Cœur d'Alenes hath no terrors for patriots who will die, as they have lived, for liberty.' Is that the sort of thing you want to stir up here?—A. I suppose you want me to give my opinion, or hold me responsible for what appears there?

Q. That appears to be the policy of the Federation, is that right?—A. You know how it is with an editor. You are reading from communications from different parties. The general idea is to give the different views of the various locals.

By His Lordship:

Q. Do you approve of the circulation of such language as that among the organization?—A. I don't like the language, to be candid with you.

Q. Then I suppose if the majority of the officers were like yourself and disapproved of that sort of language, it would not be used in the organ?—A. There is no restriction, they are selected.

Q. I suppose if a majority of the officers were of the same opinion as yourself, that such language ought not to be used in the official organ, that would not be published?—A. Well, I do not know; that idea has never been brought up.

Q. How long has this organ been published?—A. Something over two years.

By Mr. Rowe:

Q. Are there any other copies?

Mr. Bodwell.—It is a monthly. It is the only one I have.

JAMES A. BAKER—Ladysmith, May 6.

By His Lordship :

Q. I suppose you read the organ yourself regularly?—A. Yes.

Q. Is that an average issue in respect of such language as that?—A. I have seen something of that kind in regard to certain cases. Communications come from different individuals. They write as they think.

Q. Would it be right to say that many of that kind have appeared?—A. In some extreme cases whenever anything of that kind is provoked.

Q. I suppose we could get a complete file of the publication; we could send for them and get them?—A. I have none at my disposal.

By Mr. Bodwell :

Q. Is there any limit to the number of different kinds of employment that may enter the Western Federation?—A. It is outlined in the first section of the constitution, section 1, article 1.

Q. Mines, mills and smelters and reduction of ore. That is all the classes of workmen that can join the Federation?—A. Well, there are sometimes cases where men work part of the time, and sometimes they get other employment.

Q. I mean a body of men wishing to affiliate with the order would have to be engaged in some of these occupations as a body?—A. Yes.

Q. We have in this magazine a public list of the branches in British Columbia and there are no coal mines in that lot?—A. In British Columbia? Yes, sir.

Q. Which ones?—A. The union here is the first one on the list. Gladstone Union at Fernie, the Michel Union, the Morrissey Union, and one at Frank also.

Q. The majority are quartz miners?—A. Yes.

Q. Would the Western Federation of Miners think it proper under their constitution to request a sympathetic strike in coal mines on account of a difficulty arising in quartz mines?—A. I would not think so.

Q. Suppose we did not have an 8 hour law, and suppose the quartz miners should strike to obtain an 8 hour law, would the Federation think it right to call a sympathetic strike of coal miners in order to get 8 hours for the quartz miners?—A. It certainly would be a local proposition. It might be worked through the local district here. The Federation would not make the call.

Q. Suppose the quartz miners of the Rossland district requested the coal miners to come out at Ladysmith, would the Federation make that request?—A. No, they have no such authority.

Q. They would have the authority to make the request. The quartz miners of Rossland, striking for 8 hours a day, requested the Federation to call out the coal miners at Ladysmith in sympathy. Would the executive make that request?—A. The request would come from the Rossland union, and the approval of the executive would be required. It would not come as a request from the executive.

Q. The executive would understand that as a request which they had to consider, and it would be in their power to pass the request on to the coal miners here?—A. Yes.

Q. Would it be a thing which the executive would think they were bound to consider?—A. It is a part of their duty to consider any request. They have not the authority to demand that any body of men go out on strike.

Q. A condition of things might happen that in a matter which affects quartz mines alone the executive might properly request a sympathetic strike from coal miners?—A. No, I cannot say that. I say they might approve of it. The request would come from the local. They might get the sanction of the executive.

By Mr. Rowe :

Q. Supposing there was a strike on at a smelter, which was unfair. Would it be necessary to come out if their company attempted to furnish coal or coke to that smel-

ter?—A. It would depend on circumstances. If they were lending their efforts by virtue of the case, then undoubtedly a request would be made on them.

Q. Would they be called unfair if they refused to come out?—A. They might be.

Q. They would not be considered as strike breakers?—A. No, but they would be looked upon as falling short of having done their duty to their fellowmen.

Q. So that there must be a very vital connection between coal mining and quartz mining under the circumstances?—A. Under certain circumstances, yes. The coal miners and quartz miners are frequently mechanics in this country. The same individuals work in both capacities.

By Mr. Bodwell :

Q. When were you first called to Ladysmith in connection with the present difficulty?—A. I do not remember the date now, I think it was along about the 9th or 10th of March.

By His Lordship :

Q. You came here about the 9th or 10th of March?—A. I was first called. I got here on Sunday, I think it was Sunday.

By Mr. Bodwell :

Q. You are the official organizer for the Western Federation of Miners for British Columbia?—A. Yes.

Q. Had you taken any steps to obtain the organization of the union here?—A. None.

Q. Have you any knowledge of the first steps taken?—A. What knowledge I have has been told me since I came here.

Q. You only knew from what has been told you here?—A. Yes.

Q. I suppose we can get the information from the same men who told you?—A. It is second-hand with me.

Q. What are the usual steps taken by you as organizer, how do you go about it?—A. Explain the aims and objects of the association and solicit their membership, but never attempt to force it. Just explain in detail the full aims and objects, and its mode of operation and work. In fact there are no rules governing the method of organization.

Q. Did the Federation take up the case of the Ladysmith miners here?—A. Yes, sir.

Q. Are they undertaking to carry them through financially while on strike?—A. That is the intention, I believe.

Q. Do they intend to supply them with funds as long as they are out on this strike?—A. That is my inference.

Q. Have you any official statement to that effect—that the Federation propose to pay the men who are now on strike here?—A. You will understand that their knowledge of the situation here is based on my reports, and if they approve of the decision of the men here, and if it is proved that the statements I have represented to them are true they will be maintained.

By His Lordship :

Q. For how long?—A. It is indefinite. We will try and bring it to a successful termination.

By Mr. Bodwell :

Q. Why is it understood your decision that the men should not go to work without prejudice pending the result of the action on the report of this Commission? Why is that decision entertained?—A. I do not know that I have said that that was the case.

JAMES A. BAKER—Ladysmith, May 6.

Q. I suppose the men would not have come to the vote which they did without your approval?—A. I did not know that they had a meeting.

Q. Did you officially approve of their action? Now, I understand the question they had to determine was this, that they should go back to work without prejudice to their position, and allow the situation to stand as it is until the report of this Commission is made. Why would you not approve of a suggestion of that kind?—A. I do not see any necessity for such an action. I claim that organization is a proper thing for the wage earner.

Q. Supposing that to be so. Here is a question which is acute. This particular organization is not one which the employer wishes to see established here. Whether or not the men will retain their position or the employer maintain his, probably depends upon the report which the Commission will make. Now, why not approve of the men going back to work without prejudice to that decision?—A. I should be glad to see the men go back to work, but I do not see any necessity for them dropping this organization.

Q. Not dropping it permanently, but in the meantime. Will you say this—that the constitution of the Western Federation of Miners is such that a decision of that kind could not be dealt with by the executive?—A. If they drop the organization it will simply take up the charter and send it in.

Q. And that puts them on the unfair list?—A. No, I do not know that it would.

Q. Is the character and manner of conducting the affairs of the Western Federation such that in this particular instance they could not approve of the men going back to work without prejudicing their position?—A. I don't think that is the case.

Q. Do you say that your body would not approve of you if you recommended now that these men should go back to work without prejudice to their rights?—A. I could not approve of that myself. At the same time I have never brought any pressure to bear on any local body of men.

Q. You would take up this charter?—A. If they dropped the organization the charter has no business here.

Q. And then they would understand that the Federation would drop them for all time to come?—A. I don't know that.

Q. Would you have any right to say that that would not be the case?—A. No, I would not.

Q. So that the men must either stay out and depend upon the Western Federation for support, or else have this charter taken up with the idea that they will never be allowed in the Western Federation again?—A. No, that is not so. The local men have always the right to do the best they can under the circumstances. When they have done that they are not in a position to receive the censure of the organization.

Q. They would not be censured by the organization if they went back to work without prejudice to their position?—A. They would not be taking an unfair position to anyone but themselves. For that reason there is no one else to kick.

Q. Can you officially say that the Western Federation would not consider them objects of censure if they should accept the suggestion made by the Commission?—A. In my opinion they would be regarded in the light of very weak men to take a position like they have taken, and do it under the circumstances that confronted them, and then throw it up so easily.

Q. The suggestion was not that they should abandon their claim to belong to the Western Federation, it was that a *modus vivendi* should be agreed to, whereby the men could work in the meantime and the Commission investigate and report at the same time. Why will you not approve of that?—A. That is a feature I had not had brought to my observation before.

Q. That is the exact proposition, that the men should go back to work now, that this question of the Federation should not be dropped on the part of the men, that the matter should just stand as it is until the Commission had investigated the subject and made their report and suggestions. I do not see why they should not leave

the charter in your hands, to be delivered to the union if their position should be upheld. In the meantime the men could be working. Why should that not be?—A. I presume that the organization will take the inference at least that these men are doing the best under the circumstances, whatever position they take.

Q. Will you approve of a recommendation of that kind?—A. Personally I could not do it. It is not in accordance with my conscientious dictates on that score.

Q. Then the representative of the Western Federation is a man whose conscience will not allow him to recommend a decision of that kind?—A. I do not know that it is necessary to put it in that way. It was not I who came here to recommend these men to join this organization.

Q. Now here is the proposition—it would no doubt be accepted if the Federation would approve?

Mr. Wilson.—That is something which is not shown.

By Mr. Bodwell :

Q. Will you say that in your opinion that suggestion would not be adopted by the men, if the Western Federation gave its approval?—A. From my conversation with the men I do not think it would.

Q. But whether it would, or would not, you would not approve?—A. It would not be in accordance with my judgment.

Q. Give your reason for that statement?—A. For the reason that I think they have taken the right step, and I do not think they are doing any harm to any one else.

Q. You assume all the time, and that is where you are wrong, I think, that the men would be abandoning their position by accepting the suggestion of the Commissioners?—A. Well, I had not given that much thought, but at first glance it would look like that.

Q. I think the Commissioners will tell you now as they did yesterday that that is not the situation at all, that neither practically, sentimentally or theoretically, or in any other way are they abandoning their position.

By His Lordship :

Q. One of the objects of this Commission is to come to a conclusion whether it is to the public interest to allow our citizens to join American unions. I do not see in this case how it can prejudice the men to go back to work.—A. That is the position that has been taken. This has been termed a foreign organization. We claim it is international in all its workings. The majority of course are in the United States.

Q. The effective control is in the United States?—A. At the same time the local has full jurisdiction.

Q. We thought that it was in the public interest that the strike should cease, and the matter investigated just as if the strike were going on. We made it clear that the men's position would not be prejudiced.—A. I don't want to approach these men and make them do anything they don't want to do. I have got yet to see the first time in my life to advise a strike, and I think these men are intelligent enough to know what they want to do. I simply say I approve of their decision, and as a representative of the organization am willing to do all I can to assist them.

Q. But you are not prepared to recommend the men to adopt the suggestion of the Commissioners?—A. No, the way I see that now, I do not approve it.

By Mr. Bodwell :

Q. The suggestion is that the men should go back to work maintaining their position, and you say the Federation could not endorse it?—A. I say that I do not think they would be doing the best thing.

Q. That is the kind of Federation you want the men to operate with?—A. You asked me for my opinion.

JAMES A. BAKER—Ladysmith, May 6.

Q. How many men belonged to the Western Federation when this strike was taken here, altogether?—A. I cannot tell you.

Q. You do not know how many when the first resolution was come to?—A. Oh, how many here in Ladysmith? We organized this union the day I came here, and at that organization there were about 600 joined. That is the information I got from the secretary. That is when the charter was ordered. These men were out on their trouble before I came here. They did not strike according to the constitution. They agreed to form an organization and sent for me to come and organize. After I got here they had been out on this trouble.

Q. So you did not make inquiries as to whether a resolution bringing about the strike had been carried in the same way as if they had been members of the organization before?—A. I understood the manner in which they acted.

Q. Did you understand that three-fourths of them had met together to decide on a strike?—A. I was told it was a unanimous decision as to that.

By Mr. Rowe :

Q. Unanimous of all the men previous to the organization?—A. Yes.

Q. They held a meeting?—A. I was told so.

By Mr. Wilson :

Q. You were asked a few minutes ago as to your conscience; do you conscientiously think that there would be enough men left here to form a union, in a year's time, if the suggestion of the Commissioners had been acceded to?—A. If the conditions which they have obtained in the past continued then I would not think so.

Mr. Bodwell.—What is meant by that question?

Mr. Wilson.—I mean that the great majority of the men would be discharged.

By Mr. Wilson :

Q. Are there any unions affiliated with the Western Federation west of British Columbia, other than those mentioned in Alberta, any other coal miners unions?—A. Yes, there are some in Montana.

Q. In Canada?—A. None that I know of—a union at Nanaimo I believe.

Q. Although the Western Federation has the title that it has, is it intended ultimately that it may extend its operations east of the Rocky Mountains?—A. Yes.

Q. There is nothing which would prevent it enlarging its influence over the greater part of this continent?—A. Nothing at all.

Q. I understand you came here at the request of the miners of this place?—A. I came in response to a telegram calling me to come to Nanaimo at once if possible. I did not state the objects for which I came here.

Q. You did not discover this until you arrived in Nanaimo?—A. No, until I was told what I was wanted for.

Q. And you arrived here, as I understand, on March 11?—A. About that time.

Q. And were you then informed that there had been a notice posted that the workmen were to leave the mines on April 1, and bring their tools out?—A. Yes.

Q. Refering to this question again of the powers of the local union as compared with those of the executive, the initiative in all questions relating to wages must proceed from the local union?—A. Yes.

Q. Suppose one local union makes a request of the executive board that another local union should strike in sympathy with them, is it left to the second local union to determine whether they shall strike, or is it in the nature of a command?—A. No, it is not in the nature of a command. They would give them their view and possibly write them a long letter.

Q. There would be nothing in the shape of coercion brought to bear upon them?—A. No.

Q. Would it be considered unfair to decline to accept the request made?—A. They would not be regarded as having done their duty.

Q. That would be a moral obligation rather than an obligation of the union? You would look at it if a second union declined to strike in sympathy with the other, it would be regarded as a breach of moral duty, but no breach of the rules of the constitution of the union?—A. I have had no illustration of a case of that kind coming up, but that is the way I understand it.

Q. There is no such thing as coercion on the part of the central authority towards a local union?—A. None whatever.

Q. Does the central authority exercise any power or any control over the local union in relation to the manner of making the rate of wages and hours of employment that should be worked, or any other by-laws?—A. The local union establish all their local conditions. They arrange that.

(Sittings adjourned.)

JAMES A. BAKER, (continued).

By Mr. Wilson :

Q. Can you tell me, has the executive any further powers than those disclosed in the constitution and by-laws?—A. None whatever.

Q. Does the convention which is formed under your constitution and rules concern itself with the local unions or their policy?—A. Most assuredly. Anything a local union has to recommend is placed before the convention.

Q. Does the convention interfere with the policy of the local union?—A. No, sir.

Q. Except in such matters as the local union may bring before it?—A. Yes.

Q. The passages cited to you from the Miners' Magazine, and the purpose of citing it was to show that that was the sort of literature and the principles that those who controlled it, had. I want to cite another passage or two :—

'What we, who believe in the labour union, who have struggled with it and fought for it, for its legal rights, its political rights, its social rights—what we contend is that you have no right to compel the workingman to lay down his arms upon the field of battle. When the ideal state shall come, when that day for which we have dreamed and hoped and worked so long shall come, when there are no longer employees or employers, no longer rich or poor, no longer master and slave, when that day shall have come the labour union will have done its work and this world will be united in one grand universal brotherhood—a brotherhood where the fondest hope and dream of each is the highest act of all.'

Q. Is that the ultimate purpose you spoke of?—A. It is the hope of the organization to work to the end of the united brotherhood of mankind.

Q. Does the editor of this magazine undertake to be responsible for the principles of the magazine?—A. No.

Q. You have, I suppose, been assailed by the public press yourself?—A. Very frequently, I have been called plenty of names.

Q. I cite from 'American Industries' I find such words as these: 'Trade union meetings are generally a mixture of beer and anarchy,' so it would seem such terms are used by employers as well. Suppose the workmen yesterday had decided to accept the suggestion that had been made to them, would they have been considered unfair workmen?—A. I don't think so.

Q. By the way, you were not here yesterday?—A. No.

Q. You knew nothing about the meeting until this morning?—A. I saw it bulletined in the Press window in Nanaimo last night.

Mr. WILSON.—I think that is all.

By His Lordship :

Q. I would like to get some statistics of the Federation; what is the total membership of the Federation?—A. I cannot give you that your Honour. We only keep track of the membership in good standing. I cannot say what the total membership would be. It would be almost impossible.

Q. Have you any idea?—A. I might be a long way off from the fact. I would judge it to be somewhere in the vicinity of 100,000.

Q. How many local unions are there?—A. As near as I can tell you about 190. I think the highest in the directory is 181. Probably that is all.

By Mr. Rowe :

Q. Less than 200?—A. Yes.

By His Lordship :

Q. Is the Western Federation affiliated with any other organization?—A. With the American Labour Union.

Q. Where does that union have its headquarters?—A. In Butte, Montana, at the present time.

Q. Is that an organization formed on the same principles?—A. Largely so. It is for the other crafts, all occupations including miners who come in by affiliation of our organization. It includes all other labour organizations.

Q. What would be the membership of that, as nearly as you can tell?—A. That is hard to say; it is a younger organization than the Western Federation of Miners.

Q. How long has it been in existence?—A. About 4 or 5 years.

Q. It is similar in membership?—A. Yes, though I believe the membership in good standing is larger in that organization.

Q. Is that the only organization that the Western Federation of Miners has any business connection with?—A. The only one with which they have any direct affiliation.

Q. It has nothing to do with the United Mine Workers?—A. Except by relations that occur from one circumstance or another. There have been negotiations for interchangeable cards between the United Mine Workers and the Western Federation. I do not know how far that has progressed.

Q. I suppose the ultimate aim of labour organizations is to consolidate?—A. Yes, that is the hope, as I understand it.

Q. Over the whole of North America?—A. There is no limit placed on it really. At the last meeting there was a strong idea advanced to enter the Republic of Mexico, but as far as I have been informed there has been nothing done as to that yet.

Q. I do not notice that these by-laws provide what the dues are?—A. No, it is a local arrangement. Each union has the right to prescribe its own fees and dues. The constitution provides a per capita tax from the locals.

Q. How is that determined—by the number of men in the union?—A. The per capita tax is $2.00 per annum.

Mr. WILSON.—Article 4, section 1.

By His Lordship :

Q. They would have a fund at their disposal of $200,000 a year?—A. No, it is only the membership in good standing; that is all we keep track of. I do not think the membership in good standing would reach that amount.

Q. Would it average $50,000 a year?—A. Speaking of an average, the organization has been growing. I do not know what it will approximate in the last year. It did not reach that average before.

Q. It would be safe to say $50,000 for the current year?—A. I think that would be close to it.

Q. The Secretary-Treasurer has control of that fund, I suppose?—A. He has charge of it. The executive have control of it. It is controlled in the same manner as other things, in carrying out the provisions as laid down.

Q. When a strike is inaugurated by a local union, who settles the question as to their payment out of the funds?—A. That is taken up by the local committee and the member of the executive. He has to investigate and see the necessity that exists.

Q. And the representative reports to the executive what the probable necessity will be?—A. Yes.

Q. And how is that managed—so much a day paid out to the men?—A. All we have done heretofore is just to look after the needy cases. That is the custom.

Q. The effect of that is this: that the man who saves gets no help from the executive, but the man who is shiftless draws on the funds?—A. That might apply in certain instances. Through the past we have had a limited distribution to make in any event.

Q. Am I right in saying that the majority of the members of the executive in the Western Federation of Miners are men who hold socialistic views?—A. Yes.

Q. I suppose the doctrines of socialism are frequently discussed in meetings of the men?—A. They are in many instances, in other places they exclude it. It is optional with the men in each locality to discuss anything they think tends to their benefit. It is optional with each union.

Q. Could you tell us the view held by the majority of the executive about the right of the members to join the militia?—A. I could not give the idea of the majority. My own opinion is that the majority of the executive disfavour it and are opposed to it. They do not look on it with favour.

Mr. BODWELL.—There is a clause in the constitution about it. I refer to this clause: (6th clause in preamble).

'To prevent by law any mine owner, mining company or corporation, or the agents thereof, from employing detectives, or armed forces, and to provide that only the lawfully elected or appointed officers of the country, state or province, who shall be bona fide citizens thereof, shall act in any capacity in the enforcement of the law."

His LORDSHIP.—I see no objection to that. That simply means that an employer could not take the matter in his own hands. It seems, as far as I can gather, that the employer is not to have the appointment of the officers who are called upon to enforce the law.

Mr. BODWELL.—I think in the United States that would be aimed at the Federal forces in keeping the enforcement of the law from the militia.

WITNESS.—That is aimed at detectives, the Pinkerton men, and the man who is looking for a job of that kind. It is to protect against the wandering adventurers.

His LORDSHIP.—They do not object to the officers of the state enforcing the law, but they do object to hirelings being called in to keep the law.

Q. Do I understand you to say that the majority of the men themselves look on joining the militia with disfavour?—A. I could not say that, your Honour. Many of the members of the organization, both in the United States and British Columbia are members of the militia.

Q. Are the conditions of membership stated in this book?—A. Yes, sir, I think so.

Q. At what age is a man eligible?—A. There is no specification.

Q. What is generally accepted as the lowest limit?—A. There is no such limit, but we consider the years of discretion, so that the men thoroughly understand the nature of what is undertaken.

JAMES A. BAKER—Ladysmith, May 6.

Q. Can you give me some idea of the limit?—A. That is left optional with the local.

Q. I suppose no matter how young a man may be he has the full right to vote?—A. If he becomes a member, of course.

Q. Are the proceedings invariably taken by ballot?—A. No, the ordinary questions come before the meetings. The ballot is not taken unless specially called for.

Q. Is the question of strike or no strike always determined by ballot?—A. Yes, sir.

Q. Then of course all miners under 21 years of age would have a right to vote?—A. If they are entered as members of the union they have all the privileges of members.

Q. Are there any oaths of secrecy administered by any officers of the Federation?—A. Yes.

Q. Does a man, when he joins the Federation, take an oath?—A. Yes, it is not specified in the book. It is an oath of secrecy in regard to the business transactions before meetings, and to support their fellow workers in time of trouble, and not to receive or misappropriate any of the funds of the organization.

Q. Could you give us an exact copy of the oath?—A. I could; I have it with me.

(Copy of oath read by the Secretary).

By His Lordship :

Q. That is the only oath?—A. Yes.

By Mr. Rowe :

Q. Are there any other obligations than that?—A. None, except the installation of officers. There is a specific ceremony for that.

By His Lordship :

Q. Now, referring to this matter of a few moments ago—I presume it is the belief of the majority of the executive that all natural resources ought to be the property of the state? Is that so?—A. Yes, the natural resources.

Q. For instance, coal mines?—A. Yes, I believe that would be the opinion of the majority. The executive are temporary; they shift from year to year.

Q. I suppose one of the objects of the organization is to work towards that end?—A. It does not become a specified part of the workings of the organization in any manner. It is simply that the individuals who hold these views have the privilege of exercising their rights along that line. They meet with some opposition, too.

Q. Is this body—the Western Federation of Miners—incorporated in any state of the union?—A. No, some of the local unions are incorporated. There are three or four incorporated here in British Columbia.

Q. Some of the local unions are incorporated?—A. Yes, sir.

Q. Do you mean all the local unions in British Columbia, or some?—A. Some of them. Under British Columbia law, most of them under the Benevolent Societies Act.

Q. None of the coal mining unions?—A. I don't think so. I am not positive. Nanaimo, I think, is incorporated, and I am not positive as to Frank. I am not sure as to that.

Q. I understand, Mr. Baker, that you are a Canadian by birth?—A. Yes, sir.

Q. Would you explain, from the standpoint of a Canadian, what the benefit of the international feature is?—A. From my point of view I see no difference with regard to locality. It is a question of the unity of the workmen of the country.

Q. Would Canadian workmen not be benefited just as well with their own organization?—A. I don't think so. They would not have the unity and strength and would be out of touch with each other. The competition against them is largely inter-

national, as we find it. They have the united strength on the opposite side of the entire country.

By Mr. Rowe :

Q. What do you mean by competition?—A. The employing class.

Q. It does not recognize national boundaries?—A. No, sir.

By His Lordship :

Q. Supposing a local union has contributed money to the general fund in Denver, and consider that these funds have not been justly dealt with, what remedy would the local union here have to see that these funds are properly handled?—A. They would send their complaint before the executive, and if they were not satisfied with their position, it would come before the convention.

Q. They would have no redress in their own courts?—A. I never gave that part a thought. It has never gone into court.

By Mr. Bodwell :

Q. The funds are kept in Denver, I suppose?—A. Yes, the general fund.

By His Lordship :

Q. In the case of any internal grievances that were not remedied by the organization itself—for the redress of these the Canadians would have to go into the United States courts would they not?—A. I do not know how that would be. It is a question of a legal technicality.

By Mr. Rowe :

Q. I suppose they could proceed against the local representative?—A. That would be poor picking.

By His Lordship :

Q. The funds, at all events, would be beyond the reach of a Canadian court?—A. The organization would certainly lose the affiliation of every organization in British Columbia if such a process had to be adopted.

Q. We can conceive of a case where a local union might take an unreasonable view, but the point is that Canadians who put their money into the fund at Denver have no redress?—A. They are in the same position as the whole body, of course.

By Mr. Rowe :

Q. Is there anything requiring the headquarters to be in the United States, where is it now?—A. In Denver. It may be moved. It is placed annually by the vote of the convention.

Q. There is nothing to prevent it being one year in Canada?—A. No.

By His Lordship :

Q. But suppose the question is how much the men on strike are to get per diem?—A. It is not taken in that way so far.

Q. We have a number of men on strike now, suppose the question is how much they are to get. Is it a question of application for relief?—A. That has been the procedure.

Q. And any man who feels that he requires money applies to you?—A. No, it is arranged by the local committee.

Q. He applies to the president of the local committee?—A. Any of them, I suppose.

Q. The committee get the money from headquarters at Denver?—A. Yes.

Q. And they settle how much they will give to each?—A. They get a statement as to how much is necessary.

Q. They are not obliged to give all the local committee recommends?—A. There is nothing on that in the constitution.

Q. They could refuse altogether, could they?—A. Well, they would be in a very independent position.

Q. They have the abstract right?—A. I do not think so.

By His Lordship :

Q. It is in the discretion of the executive?—A. Yes.

Q. The simple fact that the committee report that they should have so much does not settle the question of the amount?—A. It might, they generally try to make it satisfactory.

Q. How much has the organization expended on strike pay up to date?—A. It has not come properly before the executive. They meet in convention on the 18th and have not yet been called together. Temporarily, I was to turn over some funds that were in my hands, for this purpose.

By Mr. Rowe :

Q. Has the executive met since this trouble here?—A. No. I think the approval has been arranged by telegraph. I was assured by the general officers that the decision had been approved.

By His Lordship :

Q. How much money has been devoted to the strikers up to date?—A. I turned over $790 for local relief.

Q. Then as I understand the position, Mr. Baker, as soon as the union here determine to come out on strike by a majority, the executive is bound to support them?—A. As long as they remain in their decision.

Q. The executive have the right to intervene and say that in their judgment the strike should cease?—A. No, I cannot say that they have that right. At the same time it would be in a certain sense in their hands to determine whether the conditions would justify a continuation of the strike. But there is not much probability of that. The men usually become discouraged before any one else.

By Mr. Rowe :

Q. If the executive became convinced that a continuance of the strike was futile, it would be within their power to cut off supplies?—A. Yes, it would be in that case. It just depends on the circumstances. The supplies or funds are raised from the general membership. Sometimes it is necessary to levy a special assessment on the general membership.

Q. But generally there is sufficient in hand to meet requirements?—A. Generally, though assessments have been made.

By His Lordship :

Q. You are the paid organizer for the province, you devote your whole time to that?—A. Not altogether. For the last year my time has been devoted to it. I am in receipt of a salary when I am employed. My salary is only by the day when I am actually employed. It is $5.00 per day.

Q. When you are actually at work for the Federation?—A. Yes.

Q. Exclusive of expenses?—A. I pay my own expenses out of that, outside of railway fare.

JAMES A. BAKER—Ladysmith, May 6.

Q. That is not a very remunerative occupation?—A. No, about the poorest. Any work in the mines rewarded me just as well.

Q. You yourself hold socialistic views do you not?—A. I do, yes.

Q. And I suppose you discuss these doctrines frequently with members of the union?—A. Whenever it is agreeable. I never try to impose my views.

By Mr. Rowe :

Q. Were you working in Canada when you were elected a member of the executive?—A. Yes, sir.

Q. How is the executive elected?—A. From among the delegates attending the convention. They are nominated in the convention generally. There is no rule. The person elected must be a resident of the district he represents.

Q. You spoke of the jurisdiction of the local. How is the jurisdiction of a local lodge defined?—A. It embraces those in that craft in that vicinity. Those who are close enough to affiliate with that local union.

Q. It is in the discretion of the executive to grant a charter, and they would not grant two charters to two locals in the same community working in the same craft?—A. No, though that has been done in certain cases. Some men employed around the mines have, in certain cases, separate unions, blacksmiths, &c. These are members of the Federation and have power of representation. It is under the same constitution. In a few instances the membership is increased in that way.

Q. What is the district organization?—A. The unions in British Columbia are affiliated in one district and have a district representative. They hold an annual convention and transact local business. They become more thoroughly in touch with the requirements of the local.

Q. Has that district organization affiliation with any other Canadian labour body?—A. There is some talk of that, but I do not know as to that. I do not think it sends representatives to the Labour Congress of Canada.

Q. What was the nature of the affiliation existing between the Western Federation and the American Labour Union?—A. It is simply an affiliation of bodies; they act in harmony with each other. They co-operate so far as possible for unity of interests.

Q. Is the obligation for sympathetic strikes greater between the members of affiliated bodies?—A. There is no relationship. There is no agreement.

Q. You spoke of a charter being suspended for certain causes. Supposing a charter was suspended, what effect will that have on the individuals? Would they be regarded as unfair?—A. They would simply be dropped. They would have just the same status as before.

Q. That is quite clear?—A. Not unless there were some certain individuals who had taken such a position that they would be made a record off.

Q. They would be blacklisted?—A. They would certainly be kept track of.

Q. In case of the surrender of a charter by a local union, would the individuals of that union become unfair in the eyes of the Federation?—A. No, sir.

By His Lordship :

Q. You might tell us how many unions there are in the province?—A. It is 24, I think, with an aggregate membership of 4,000 or that vicinity.

By Mr. Rowe :

Q. When a strike is on, in the case of a local union, who directs it?—A. The local committee, assisted by a member of the executive board—the local committee elected by the members.

Q. Has the representative of the executive any greater power than other members of the committee?—A. He is looked upon as an individual at headquarters for any circumstances demanding attention, or special assistance in any shape or form. He is looked on with confidence.

JAMES A. BAKER—Ladysmith, May 6.

Q. Supposing he advocated a certain course of action, and members of the local committee opposed that by a vote, would their act be reported against them ?—A. Hardly, but it would probably go in.

Q. Would they be persecuted by them ?—A. There would be nothing stand against them. The members of the organization generally might approve or disapprove.

Q. So that if a representative of the Federation stated that members of the union doing that thing would be blacklisted, he would be stating what was not the case ? For instance, if you were to go to the local union, would it be within your province to say that the men who took that position would be blacklisted ?—A. No, sir.

Q. I ask that because I want to make inquiries concerning another matter.

By His Lordship :

Q. How far is it permissible by the rules of the organization to interfere in politics ?—A. There are no rules as to that.

Q. Can the executive of the local union bring up any political questions in a meeting ?—A. No, I don't think so. It is a local option. They can discuss and exclude what they see fit.

By Mr. Rowe :

Q. The district organization has no funds ?—A. A little, just for its own local purposes.

Q. Has it any paid officers ?—A. There are limited salaries—nominal salaries.

By His Lordship :

Q. Political discussions frequently take place in meetings of the Western Federation of Miners ?—A. Yes, in many instances.

By Mr. Rowe :

Q. Is it a fact that in some trade unions the discussion of politics is barred ?—A. I think it is.

By His Lordship :.

Q. In those in which it is not barred is it common for them to come to any agreement on the subject ?—A. It is rather uncommon to be united. They are not usually united on questions of politics.

Q. Is the boycott recognized by the Western Federation as a fair weapon ?—A. Well, it is regarded as sometimes a necessary weapon in this way. If there are certain parties who treat the men fairly, and others who are not, they will recommend the patronage of the man who will treat them fairly.

Q. The Western Federation has adopted the boycott ?—A. No, we have no product, no label on our goods.

Q. But it adopts the boycott system ?—A. No, not that I know of. Appeals are made to the miners' unions by various organizations throughout the continent, making those kind of requests at different times.

Q. Take the case of merchants in a town sympathizing with the employer and one with the men, do the executive persuade the men to patronize the one man against the other—the executive of the local union ?—A. I cannot say. They have no instructions from the general organization.

Q. What do you say as to picketing—is that considered a right thing to do by the Western Federation ?—A. At certain times whenever they consider it right.

Q. You say that picketing is sometimes necessary ?—A. When it becomes necessary to do so they consider it right. It has been done.

Q. Am I right in saying that the Western Federation recognizes the boycott and picketing as proper means of warfare ?—A. The boycott, as I understand it, has not

been used, except in the way I told you. We have requests from other organizations concerning certain lines of goods. We only use the boycott sympathetically. We have no goods to put a label on. In what sense do you mean picketing ?

Q. We all know there are a certain number of workmen who do not see the utility of belonging to unions, and that it is a custom of union people to try and persuade them to join the union, and one of the means is by picketing or pestering the non-union men and their families.—A. I thought in a certain sense that was what you meant. I have been in such a capacity myself, though not to the extent you described. I use all the influence I can. That is as far as I ever went, or as far as the men with whom I was associated went.

Q. It is the custom in some unions to refuse to work with non-union men, is it not ?—A. There are some localities where that is not even required. There is an arrangement between them and their employers. A man is not denied work simply because he is not a member of the union.

Q. What is the rule with the Western Federation ? Is that left to each local ?—A. Yes, there is no rule.

Q. Would it be a justifiable reason for a local union to go on strike because an employer was employing non-union men ?—A. No, the employment of non-union men is not considered a good cause of strike, unless it is in discrimination of men because they are union men.

By Mr. Rowe :

Q. When you speak of discrimination—that is to say while you had union men available for the job you would expect the employer to employ them ?—A. Yes. There are men systematically discharged from jobs on account of their affiliation with the union.

By His Lordship :

Q. One of the objects of unionism is to prevent the employment of non-union men, is it not ?—A. I don't like to put it in that way. The better way is to try and make union men of the workingmen as fast as possible.

Q. One of the objects of the unions is to have a uniform rate of wages, whether the man is a good or a poor workman ?—A. It is a minimum rate they desire.

Q. Is not the tendency to bring down the wages of a good man to the level of the poor man ? Is that not the effect of establishing a minimum rate ?—A. I don't think so.

Q. Because an employer has to take from the good man to pay the poorer man ?—A. If a man is not able to fill the requirements, he should not be there, in my opinion.

Q. You would not deny that there are some poor workmen in all unions ?—A. The men are employed before they are gathered into the unions, by employers. That would seem to say that they were considered good men.

By Mr. Rowe :

Q. Can a man be a member of a union unless he is employed in a craft ?—A. That is what it is confined to. There may be exceptions.

Q. There is no maximum wage ?—A. No, sir.

Q. As to men working by the piece in mines—is there any regulation as to discrimination between different men ?—A. That is a local arrangement. It is between the local men themselves.

Q. The union has the option of fixing the prices for any particular class of work ?—A. Yes.

By His Lordship :

Q. It is not a good cause of strike because an employer employs non-union men ?—A. No.

JAMES A. BAKER—Ladysmith, May 6.

By Mr. Rowe :

Q. Do you think it would be in the interest of trade unions if they should be incorporated ?—A. I do not know. I have advocated that. The union of which I am a member is incorporated. It is a question if it is to their best interest.

By His Lordship :

Q. Why do you say that ?—A. In the first place the Benevolent Societies Act does not meet the requirements.

By Mr. Rowe :

Q. Supposing there was an Act specially provided ?—A. It would be more in line. I would think it would be much better, but this Benevolent Societies Act does not touch the situation at all.

MR. WILSON.—I do not think it was ever intended for that purpose.

By Mr. Rowe :

Q. Do I understand you to say that if there was a good Act permitting incorporation of trade unions, it would be better ?—A. I don't say that. I have no doubt it would be better than the Benevolent Societies Act.

By His Lordship :

Q. Why do you feel doubts as to the utility of incorporating under a proper Act ?—A. I look at it as putting up a mass of humanity as property. This is a mass of humanity put up as a chattel.

Q. It is a voluntary act of the incorporators ?—A. Yes.

By Mr. Rowe :

Q. Their labour is a commodity for sale, and they can control it to strengthen a man's power in regard to his labour ?—A. It is a question I am not altogether clear on. I did advocate incorporation.

By His Lordship :

Q. It is a cold, iron fact that unions sell the labour of their members by agreements between employers ?—A. They stipulate that not less than a minimum price shall be paid.

By Mr. Rowe :

Q. Don't you think it to the advantage of unions that wanted to use a label if they were iscorporated under certain conditions, that their label might be registered as a trade-mark—would not that be an advantage ?—A. I think it would be beneficial, of course.

By His Lordship :

Q. The trouble would seem to be that the courts have shown a tendency to hold unions responsible for their acts the same as companies. Is that not one of the troubles ?—A. That is one of them, certainly.

Q. Don't you think that where there is power there should be corresponding responsibility ?—A. Certainly, but not if you feel that you were condemned and convicted before you were tried.

Q. The remedy for that is to get proper judges and juries.

HIS LORDSHIP.—Any more questions to ask ?

MR. WILSON.—Nothing.

By His Lordship :

Q. How long will you be here ?—A. A day or two. I will inform you if it is necessary for me to go away.

JAMES A. BAKER—Ladysmith, May 6.

JAMES PRITCHARD, sworn:

By Mr. Wilson :

Q. You reside in Ladysmith ?—A. Yes.

Q. You are a miner ?—A. Yes.

Q. How long have you been mining ?—A. I commenced mining in the coal mines when I was nine and a half years old, about 34 years ago.

Q. You have been working here, how long ?—A. Some four years.

Q. How long have you been working at Extension ?—A. Somewhere about eleven months.

Q. Where were you working before Extension ?—A. At Nanaimo.

Q. You remember a meeting held on March 8 ?—A. Yes, sir.

Q. A meeting of miners had been called on March 8 ?—A. Yes.

Q. You attended that meeting ?—A. Yes.

Q. In what capacity were you elected ?—A. They elected me as chairman.

Q. Who was secretary ? A. Mr. Mottishaw, senior.

Q. That meeting had been called for what purpose ?—A. I believe it had been called for the purpose of considering the advisability of seeing the company about a 15 per cent increase.

Q. And what action was taken with respect to the appointment of that committee ?—A. They did not take any action at all, simply discussed it.

Q. Why did they not take any action on it ?—A. They seemed to consider it would be futile, without being organized, to take it up.

Q. What was the next step ?—A. Some person submitted to the men that we organize a union.

Q. Was any action taken on that ?—A. It was discussed for some time, and while it was being discussed it was moved that we organize a union with the Western Federation of Miners, as far as I can remember.

Q. What was done after that ?—A. This motion as amended was put to the vote and carried unanimously.

Q. How many were present at that time ?—A. The hall was crowded. I did not count them. It was in the Finn's hall.

Q. Were there several hundred there ?—A. I should think there would be. The hall was packed to the doors.

Q. There was a unanimous vote that you should form a union and affiliate with the Western Federation of Miners. What did you then do ?—A. When this motion was carried it was moved that the official organizer of the Western Federation be notified to come along at once.

Q. You then sent a telegram to Mr. Baker ?—A. Yes.

Q. What was then done ?—A. Mr. Baker came here on Sunday morning, the 15th, and addressed the men outside for a short time, and it was moved that we proceed to the Finn's hall and proceed to organize forthwith.

Q. Then you went up to the hall and proceeded with the work of organization ? —A. Yes, sir.

Q. How many joined the union ?—A. There were somewhere about 600.

Q. About how many men had been working in the mines ?—A. I think there were somewhere about 800.

Q. So that as far as your opinion goes, 600 out of 800 joined the union ?—A. Yes.

Q. Did the union afterwards receive any further increase in its membership ? —A. Yes.

Q. To what extent ?—A. It came up over 800, I believe.

Q. It ran up to about 800, is that about its strength now ?—A. Yes, that is about its numerical strength now.

Q. Why was it that you decided to join the Western Federation ?—A. I presume their reasons were that if they had trouble of any kind, they would be supported better by being affiliated with some other body instead of being by themselves.

Q. The power and strength of the Western Federation was a motive to you?—A. Yes.

Q. Did you really think you needed that, had your experience pointed that direction?—A. My own personal experience had not.

Q. But the experience generally?—A. Yes.

Q. Do you hold any office in the existing union?—A. I am president of the union.

Q. Who is secretary?—A. Mr. Mottishaw, junior.

Q. After the union had been formed, what happened the next day?—A. The rest of the men began coming, and we initiated and took applications, &c., until practically all were in.

By His Lordship :

Q. About 800?—A. I think so, I do not know the exact figures.

By Mr. Wilson :

Q. And what took place after that?—A. I do not know to what you refer.

Q. Were there any notices posted? What took place between the company and the union?—A. There were notices placed at the depot, and I believe at the mines—I did not see the one at the mines—that the mines would be closed down on the 1st April, and that the men must bring out their tools and return them to the storekeeper of the mine. I have not a copy of the notice.

By Mr. Rowe :

Q. What date was that posted?—A. It was on the morning of the 10th.

By Mr. Wilson :

Q. The meeting was held on the 8th, and the resolution to organize was passed on the 8th, and then this notice was stuck up?—A. Yes, on the 10th.

Q. So soon as it was known that the miners purposed forming a union, this notice was put up?—A. Yes.

Q. How long afterwards did you work in the mine?—A. I did not work at all, because I was laid off.

Q. You were discharged?—A. On Tuesday morning, on the 10th.

By Mr. Rowe :

Q. This first meeting was on Saturday?

By His Lordship :

Q. The meeting was held on Sunday the 8th?—A. Yes.

Q. And on that morning you were discharged?—A. Yes.

Q. Who discharged you?—A. I could not say, only that the mine boss told me I was laid off, that he did not know the reason.

Q. Who was the mine boss?—A. Mr. Johns.

By Mr. Wilson :

Q. Was Mr. Mottishaw discharged too?—A. I believe so, on the same day.

By His Lordship :

Q. Any one else on that date?—A. I do not know, only from what I was told. There were two or three others, one by the name of Bell and Mottishaw.

By Mr. Wilson :

Q. Both the Mottishaws were discharged?—A. Yes.

By His Lordship :

Q. What was Bell in the union? Had he taken any particular part in the meeting?—A. Yes, he had been speaking.

Q. When did Mr. Baker get here?—A. The following Sunday, the 15th.

By Mr. Wilson :

Q. Were you a member of a committee which sought to obtain an interview with Mr. Dunsmuir? Did you not go to Victoria for that purpose?—A. Yes, but not to see Mr. Dunsmuir, to interview Mr. McInnis and other members of the legislature.

By Mr. Bodwell :

Q. The first meeting was on Sunday the 8th. When did you first hear of tho meeting?—A. Friday or Saturday, I forget which.

Q. How did you hear of it?—A. Some person asked me if I was going to the meeting. I said 'What meeting?' He said there was a meeting called for Sunday in the hall.

Q. Who called the meeting? Do you know now?—A. No.

Q. Do you know who arranged it?—A. No.

Q. Had there been any discussion among the men about having a meeting?—A. I did not hear of it.

Q. Any discussion generally about wanting an increase in wages?—A. I had heard several speaking among themselves—I did not enter the discussion myself—about the 67 cents a ton duty being taken off on the other side.

Q. They wanted an increase on that account?—A. They seemed to talk that way.

Q. That because the duty was taken off coal the wages should be increased?—A. Yes.

Q. Who was talking of that?—A. Different men, I could not remember who they were.

Q. About how many?—A. I could not state how many.

Q. Don't remember how many spoke to you?—A. I do not know that any spoke to me directly at all.

Q. You did not think there was such a general agitation about that, that there was going to be a meeting, you were surprised to hear of the meeting?—A. Yes, I was kind of surprised, as I did not know there was going to be a meeting held.

Q. You have no idea how the meeting originated?—A. No.

Q. Did Mr. Mottishaw have anything to do with getting up the meeting?—A. I could not say.

Q. How long had he worked here?—A. I could not answer that either.

Q. Were you working in the Vancouver Coal Company's mines before you came here?—A. Yes.

Q. There has always been a union there?—A. Yes, all the time I was there.

Q. Were there many of the men who formerly worked at Nanaimo working at Extension?—A. A few.

Q. When this meeting was called there wasn't very much said about a raise of wages; they immediately went to the question of organization?—A. No, they discussed the advisability of appointing this committee for something like 20 minutes.

Q. Who was the chairman?—A. I was.

Q. Did you make any statement as to why the meeting had been called?—A. I made the statement that I believed it was called for that purpose.

Q. Did no one there say who had called the meeting? No body gave any explanation?—A. I don't remember any one giving any explanation at all.

Q. No one asked the question why they had been brought together?—A. I hardly know how that came about. I know that some one mentioned about asking for an advance that night.

JAMES PRITCHARD—Ladysmith, May 6.

Q. Who began the speeches?—A. I could not state, I did not know all the men there.

Q. Was there any one prominent in the proceedings? Who moved the resolution?—A. I do not know.

Q. Did you keep any minutes?—A. I believe there were minutes. Mr. Mottishaw was the secretary. I believe he kept minutes of some kind.

Q. How did he come to be secretary? Who proposed him?—A. He was proposed to be secretary in the usual manner.

Q. Who proposed that you should be chairman?—A. I could not state who it was.

Q. At a public meeting there is generally some one who is responsible, who takes the initiative. You had nothing to do with the getting up of the meeting?—A. No.

Q. You went there simply as an ordinary person attending a meeting?—A. Yes.

Q. There must have been some one who took the responsibility of assuming the lead? Who was that man?—A. I am not sure, but I have an idea that it was Mr. Mottishaw, junior, the young man. I could not say for sure.

Q. Did the notice say they were going to discuss an increase of wages?—A. I don't think it did.

Q. How did you know that was going to be discussed? Who told you that?—A. I don't remember now who it was. Mr. Mottishaw said something to me while I was taking the chair—the old Mr. Mottishaw.

Q. Was there somebody there who moved a resolution about organization?—A. I don't remember.

Q. You don't remember who spoke of organization?—A. No, I could not state who they were.

Q. At first they seemed to be satisfied with an organization among themselves, did they?—A. There was a man submitted that they organize a union, but I don't remember who submitted that motion.

Q. That meant a local union?—A. Yes.

Q. Who suggested the Western Federation, and why?—A. If I remember right I believe it was Mr. Bell.

Q. It was either Mr. Bell or Mr. Mottishaw?—A. I don't think it was Mr. Mottishaw, I think it was Mr. Bell who moved the amendment.

By Mr. Rowe :

Q. Who moved the original motion?—A. I cannot remember who it was. I do not know most of the members.

Mr. WILSON.—I might mention to the Commissioners that we will call in Mr. Mottishaw and put in the minutes of the meeting.

By His Lordship :

Q. The first resolution was for an increase of wages, was it?—A. It was for a committee to see Mr. Dunsmuir, and they were going to discuss the 15 per cent advance with him, the reason for that advance being the reduction of the duty on coal.

By Mr. Bodwell :

Q. Then that was abandoned, and you immediately went to the subject of organization?—A. Not immediately, it was the next business.

Q. That part of the business was interrupted with a motion for organization—that would be the right way to put it?—A. I do not know whether it would or not.

Q. You had not appointed a committee or finished the discussion of that subject, when the organization question came up—that is right?—A. Yes, that is right.

Q. Did you have any personal opinion yourself in favour of the Western Federation of Miners as against a local organization?—A. I did not enter into the discussion at all.

Q. What was your personal view of the matter?—A. I did not give any personal view.

Q. I suppose you had an opinion?—A. I did not express any.

Q. Did you have any decided opinion one way or the other?—A. Outside of the meeting.

Q. I mean to say when that question came up was it a new question to you personally?—A. The Western Federation of Miners?

Q. The question of joining the Western Federation as against having a local union, or a Canadian union?—A. Yes, it was new to me—the Western Federation.

Q. If no one had suggested the Western Federation you would have been satisfied with a local organization?—A. I could not say.

Q. How did the men receive the suggestion of local organization—favourably?—A. Some did and some did not.

Q. Some were against organization altogether?—A. I did not hear anything as to that.

Q. Didn't you think if the question of the Western Federation had been left out altogether that the men would have passed a resolution for a local organization?—A. I could not say whether they would or not.

Q. Did you not form any opinion of what the feeling of the meeting was?—A. From the discussion which took place one could form the opinion that it would be useless to organize locally.

Q. Why?—A. Because they had been discriminated against in times past.

Q. How, and when, and where—what was said about that?—A. They had unions before in this company, and the company has been able to burst them up.

Q. What unions were they?—A. They had a union at Alexandria, one here and one at Extension.

Q. Who spoke about these things?—A. Some persons in the hall.

Q. Can you give us the names of any of them?—A. I cannot remember the names. I have been here only about 11 months.

Q. You favoured the Western Federation on account of statements of this kind? A. The reason that we must favour it. That was how I was putting it.

Q. You must have come to a conclusion in favour of it?—A. Yes, that was afterwards.

Q. For the reason, you say, that the company would burst up a local union?—A. I said that that was the consensus of opinion of the meeting.

Q. It was your opinion, too, was it not?—A. I suppose my opinion went along with the majority.

Q. And if you had not been afraid that the local union would have been broken up, you would have been satisfied with a local union?—A. I could not say as to that.

Q. The reason I understand why it carried the meeting between the Western Federation and the local, was that the company's officers could break up a local?—A. I did not say the company's officers.

Q. The company then, without distinguishing?—A. Yes.

Q. That the influence of the company would be strong enough to break up the union, and that was the only reason why the Western Federation would be an advantage?—A. The main reason I suppose.

Q. How would the company break up the union—discharge the officers?—A. Discharging the officers and discharging the men belonging to the union.

Q. That would go on for ever, would it not?—A. I don't say it like that at all.

Q. The trouble seems to be that you were afraid that if a local union were established it would not continue—it would be disrupted by the company?—A. I suppose that is so.

Q. But as far as protecting your interests and taking care of your local affairs, and getting a fair wage, you would be just as well off with a local organization?—A.

I suppose they would, if they did get a fair wage, and all went smooth and nice, but supposing they did not, they would only have themselves to lean on.

Q. How about now ? You have only yourselves to lean on ?—A. That remains to be proved.

Q. Do you mean by getting financial assistance?—A. I suppose; the moral support, too.

Q. You get the moral support of the community anyway, if you are right, don't you ? Do you expect to get strength by having a foreign organization supporting your case ?—A. I expect we have got the support of our own class in this country, or any other. We are not foreigners to one another.

Q. Outside the financial support that you expect to get, give me another reason for belonging to this outside organization ?—A. One reason that I can see why we should is because we can help to educate one another.

Q. Well, give me another reason ?—A. (No reply).

Q. Was not the real reason given to join the Western Federation that you expected trouble if you formed a labour organization ?—A. They must have expected trouble, or they would not have gone to work and decide that any man who was discriminated against, the men would stand by him.

Q. Was not the real reason in case you got into trouble you would get some assistance from the Western Federation to help fight the strike ? Was that reason not given at the meeting ?—A. I did not hear any one mention that at all.

Q. You will say that it was not said ?—A. I did not hear it said at all.

Q. There was no one there on behalf of the Western Federation to give that undertaking to the men ?—A. No one that I know of.

Q. What wages were you getting ?—A. I was getting $3 a day.

Q. You were being paid by the day ?—A. I had been timbering.

Q. That was just timbering. Do you work by the piece ?—A. The miners do.

Q. Are you not a miner ? Do you work by the ton, or the day ?—A. I had been working at timbering, and I was getting $3 a day.

Q. What did you make when you were working at mining ?—A. I only put one shift in.

Q. What were you making at the Vancouver Coal Company, were you working by the day or piece ?—A. By the piece.

Q. What were you making there ?—A. On an average about $3.50 or $3.25.

Q. On an average what does a good miner make here—before the trouble ?—A. I could not say ; I have not been in mining.

Q. Don't you know ?—A. I have not seen any of the miners' statements.

Q. Don't they talk to you ?—A. I have not discussed the matter at all.

Q. How many hours a day did you work when you were getting $3 a day ?—A. 8 hours

Q. $3 per day for 8 hours is pretty good wages ?—A. That is the regular rate here.

By His Lordship :

Q. Is it the same at Nanaimo ?—A. I believe it is.

By Mr. Wilson :

Q. Why was the discussion of the 15 per cent abandoned ?—A. As far as I can remember, because they thought it would be futile. The majority of them seemed to think it would be futile for them to ask for an advance until the men were organized.

Q. Why ?—A. They seemed to think it would be useless.

Q. That you would not get it ?—A. Yes.

Q. You were asked about that notice—the notice calling the first meeting—was it signed by anybody ?—A. I don't think so ; I don't know why.

By Mr. Bodwell :

Q. Where was it posted?—A. At the depot and the mines.

By Mr. Rowe :

Q. You worked in Nanaimo—you remember the union?—A. Yes.

Q. Was the union affiliated with the Western Federation?—A. Not at that time.

Q. Since you left?—A. Yes.

Q. Was the matter not discussed while you were there?—A. Not while I was working in Nanaimo.

Q. The discussion of affiliation had not been taken up?—A. Not when I left.

Q. The meeting at which you were made chairman was on the 8th March, then on Tuesday morning you were discharged. When was the next meeting held?—A. The next meeting was held on Thursday morning, the 12th of March in the pavillion.

Q. That was a meeting of the men—the union had not been formed yet?—A. Yes.

Q. What took place at the meeting on the 12th of March?

Mr. WILSON.—These papers will cover the meeting to which you refer.

(Exhibit 4).

By Mr. Rowe :

Q. I was not clear as to what was done at that meeting. Kindly tell us?—A. When they moved me to the chair I asked if any one had any statement to make, and some person said that several men had been discharged, so they ascertained the names of four of them, Mr. Bell, the two Mottishaws and myself. There was a motion submitted, I believe, that a committee be appointed to interview the company with regard to getting the men reinstated, and it was lost. The motion to appoint a committee was lost.

By His Lordship :

Q. Why was that?—A. Because they had not yet organized themselves into a union.

By Mr. Rowe :

Q. Were there any resolutions adopted at that meeting?—A. Yes, there was one adopted, that we stop work until the official organizer of the Western Federation came along and organized us into a branch of the Federation, before we ask the company to reinstate these men.

Q. That is, that you decided to quit work?—A. They had to quit work.

Q. Did the men quit work voluntarily?—A. They quit work in accordance with the resolution of the first meeting, that if any men were laid off they would stand by them.

By Mr. Bodwell :

Q. The real reason for quiting work was on account of the discharge of the men who had been prominent in the organization?—A. I do not know as to prominent in organization or not.

Q. The real reason for quitting work was on account of the discharge of yourself, Bell and the two Mottishaws?—A. Yes, and on account of the notice posted up, I presume.

By Mr. Rowe :

Q. That was three weeks before?—A. The notice was posted that the mines would be closed on the 1st of April. This was on the 10th March.

By Mr. Wilson :

Q. You knew you had to face dismissal then on the 1st of April?—A. Yes.

By Mr. Rowe :

Q. Had you any reason to believe that Mr. Dunsmuir would refuse the proposal to increase your wages? How had previous requests of that kind been treated?—A. I could not give any reason at all myself, as I had no experience with the company prior to this time.

By His Lordship :

Q. You were in the employ of the Vancouver Coal Company before coming to Ladysmith?—A. Yes.

Q. Why did you quit that company?—A. I quit because I was out of work on account of a fire. There were four places cut off by fire.

Q. The company did not need as many men?—A. They had not room for all of us.

By Mr. Bodwell :

Q. By the places, you mean the places where you work in the mine?—A. Yes.

By His Lordship :

Q. Has this strike any connection whatever with the strike of the U. B. R. E., of Vancouver? (United Brotherhood of Railroad Employees).—A. Not that I know of.

By Mr. Rowe :

Q. Nothing said about the fact that these men were wanted out to prevent the selling of coal to the C. P. R.?—A. The U. B. of R. E. has never been mentioned in the town, that I know of.

Q. Have you ever heard it suggested among yourselves that this strike was being gotten up in the interests of any American capitalists or mines?—A. No, I have heard no suggestions of that kind at all.

Q. Did you ever hear any comment on the fact that the papers said it was to the interest of the Washington mines to have this strike?—A. No, I have not.

By His Lordship :

Q. Have you ever known of a case where an officer of a union has been found to be in the pay of some capitalist?—A. No. Well, I have seen cases in the paper; I do not know whether it is true or not.

By Mr. Rowe :

Q. You live in Ladysmith?—A. Yes.

Q. Is it your own property?—A. I have no property.

Q. Were you required to live here? Did you find any restriction as to place of residence?—A. No, not after I went to the mines. I was not requested. It seemed to be the common understanding that all had to live here. I was not requested to live here.

Q. Were you forced by any circumstances to live here?—A. I was forced by the only circumstance that every man was forced to come and live here.

By His Lordship :

Q. How far are the mines from here?—A. Twelve or fourteen miles I think.

By Mr. Rowe :

Q. What length of time is consumed in reaching the place where the miners work, from here, from the time they leave their home and get to their work in the morning?—A. Probably an hour.

Q. The same time at night?—A. Yes.

Q. So it is about two hours then?—A. Yes.

JAMES PRITCHARD.—Ladysmith, May 6.

By Mr. Bodwell :

Q. When you were at Nanaimo where did you live—how far from the mines?—A. I was working at Protection, just across the bay.

Q. How long did it take you to get there in the morning, from your home to the shaft?—A. We used to leave at 20 minutes to 6 o'clock, and get over about 10 minutes to 6.

Q. About 10 minutes then from where you lived?—A. No, about a quarter of an hour altogether.

Q. You do not know the actual time this train takes to run—I am told it is only half an hour?—A. Somewhere about that.

Q. So there would be an hour a day spent in travelling—not two hours? Half an hour in the morning, and half an hour at night?—A. Yes.

By Mr. Wilson :

Q. When did your time count in the Vancouver Coal Company, from the time you reached the pit-head?—A. From the time we went down till we came up again.

Q. And how did your time count at Extension?—A. At Extension when you got there. The same at the two places.

By His Lordship :

Q. You say it takes an hour going and an hour coming?—A. No, it is half an hour going and half an hour coming.

By Mr. Bodwell :

Q. When is the regular time for the shift to be over?—A. Three o'clock.

Q. And the train starts at 3.30. The men are in the mines at 3, they get through about 3, but they have a right to stay there until 3, and half an hour is spent in getting out to the station? How much time is required to get from the mine to the train?—A. About five minues.

Q. From the place where you work in the mine?—A. No. The men are supposed to come out of the mine at three.

By His Lordship :

Q. How long should the train wait?—A. I should think 10 or 15 minutes.

Q. Does the train stay too late?—A. I have heard no complaint in that direction.

By Mr. Wilson :

Q. Did you live at Extension yourself?—A. Previous to coming down here, yes.

Q. Why did you have to leave Extension to come down here to live?—A. Because everyone else was leaving.

Q. Why did everyone else leave?—A. Because they were compelled to.

By His Lordship :

Q. In what way ?—A. Because when they did not come down here they were told there would be no work for them.

By Mr. Rowe :

Q. Was that posted?—A. I did not see any notice.

By His Lordship :

Q. Were they personally notified they would be discharged unless they came down?—A. I believe so.

By Mr. Bodwell :

Q. You were told not to go to Extension to live before you worked there, were you not?—A. No.

By His Lordship :

Q. You did not ask any of the officers of the company whether you had to go to Ladysmith or not ?—A. Yes, I think I asked Mr. Jones once, and he said, 'I suppose we shall all have to, I have to go myself ' though no other official of the company had said anything about it.

By Mr. Rowe :

Q. Where would you have preferred to live as between the two places ?—A. I prefer to live at Extension.

Q. Why ?—A. Because it suits my health better.

Q. How long would it take you to get from your house there to work ?—A. Somewhere about a quarter of an hour.

By His Lordship :

Q. Are there any miners allowed to live at Extension ? Up to the time of there being no work, were all the miners down to Ladysmith ?—A. They were as far as I know.

By Mr. Rowe :

Q. How do the wages paid by this company compare with the wages at Nanaimo ? Could you give an intelligent answer ?—A. No, I could not.

Q. Has there been any recent increase of wages at Nanaimo ?—A. Not that I know of.

Q. Was anything of that kind quoted which was made to justify the expectation of a 15 per cent increase ?—A. Not that I remember.

LADYSMITH, May 7, 1903.

WILLIAM JOSEPH, sworn :

By Mr. Wilson :

Q. Where do you live, Mr. Joseph ?—A. At Ladysmith.

Q. How have you been employed ?—A. As a miner.

Q. Where have you been working ?—A. At Extension.

Q. Tell the Commissioners what you have got to say as to your understanding of what took place ?—A. I came to Extension about three and a half years ago, and I batched in an old place close to the face. I could not get another house. I built a boarding house, and everything went very well until this pressure came on us to go to Ladysmith. We had a house full of boarders, and a few went to Ladysmith in one month. They would go away a few days before the time and not pay us, until at last everybody had to go to Ladysmith. One of my boys was working for $1 a day and the other $2.50. The youngest boy was only 16 and only got $1, not more than enough to pay his board, and the wife had to come down here. We had to pay for the house, and could not do it, and the house was sold. We rented a house in Ladysmith. If it had not been for a friend we would be on the street.

By His Lordship :

Q. How long ago since you were compelled to leave Extension ?—A. About 5 months ago. I came down here and came to the conclusion to go to work. I asked Mr. Wilson on Saturday, 'Will you please give me a job,' and he said he would. I started to work the next week after that, and after I worked about 9 days I went to Extension to live in my own homee. After I had worked about 9 days, Mr. Wilson came to me and said, 'You must go to Ladysmith.' I said to my partner, 'You have to come too.' He said, 'I won't go, my father won't drive me, and Dunsmuir can't.'

Q. Do you own the house at Extension ?—A. I built it, sir.

By Mr. Rowe :

Q. Who owned the house you rented here ?—A. A man named Seeley, I believe.

By His Lordship :

Q. Do you still own the house in Extension ?—A. Yes, it has been empty about 6 months. There is no one living in it now.

By Mr. Bodwell :

Q. From whom did you buy the land at Extension ?—A. From Mr. Bramley.

Q. Not from the company ?—A. No.

Q. Did you inquire from the company's officers what the intention was with reference to the men living at Extension ?—A. No, I did not, because there were men besides me living there at the time.

By His Lordship :

Q. When did you build the house ?—A. About 3 years ago.

Q. How much money did you put into it ?—A. About $1,200.

Q. How many rooms are there in it?—A. About 9.

Q. You built it for the purposes of a boarding house ?—A. I thought I would build it for my own family. There were lots of people wanting board, and we boarded some of these.

Q. Have you ever gone to see any of the officers of the company to see whether you could go back ?—A. No, I heard we could not go back unless we came here.

Q. How many people live in Extension now?—A. There is a good few.

Q. What do you mean by that, 50 ?—A. Yes, more than 50, I guess.

Q. How many would you say ?—A. I could not tell, sir, more than 50 anyway.

By Mr. Wilson :

Q. Some of them have gone back since cessation of work ?—A. Yes.

His Lordship.—By that you mean strike or lockout ?

Mr. Wilson.—Yes, one or the other.

By Mr. Bodwell :

Q. Were you not warned before you built your house that this was going to happen, by the officers of the company?—A. No.

Q. Was it not generally known there ?—A. After I built my house—first I built it like a skeleton, and we came to the conclusion some of us—we heard it said that we had to go to Ladysmith—that we ought to have a deputation to see Mr. Dunsmuir, and we took three men to see him, Mr. George Johnston, William Spence and W. McCloskey, and they came back with a report from Mr. Dunsmuir to say it made no difference where they built, provided they would suit the officials of the mines. I then spent a few more hundred dollars, on the strength of that, on the house.

Q. Was it not told you by the officers that they were going to live in Ladysmith ?—A. No, they did not tell me.

Q. Did you know it before you had your house built ?—A. No. I had to build there, because I had my family.

Q. Did not the men think they would have to live at Extension, no matter what the company said ?—A. No, I could not say that.

Q. You knew it was generally stated at Extension, that the men would live at Ladysmith ?—A. No.

Q. Had not that statement been given out by the officials of the company, that Mr. Bryden told a lot of men, so that you heard he did say it ?—A. Yes.

Q. Before you had your house built ?—A. No.

Q. Before it was finished ?—A. No.

WILLIAM JOSEPH, Ladysmith, May 7.

Q. You heard that Mr. Bryden had said that Ladysmith would be the town site before you had the skeleton up, and the officials were saying at the same time that the men were going to live at Ladysmith, and you thought that they would live at Extension and take the chances?—A. No, I did not think it was a fact.

By Mr. Wilson :

Q. Did the men come to live at Ladysmith of their own free will, or because they were obliged?—A. There are hundreds who would not have come down if they were left alone.

By His Lordship :

Q. How many people were in Extension before this order to move to Ladysmith was given?—A. I heard some say from 2,000 to 3,000 people, I am not sure.

Q. You were there at the time?—A. Yes, but I am not in a position to know.

Q. Then I gather that there must be a good many empty houses there to-day?—A. Yes, sir.

His Lordship.—Could you fix a time, Mr. Bodwell, when this order was given?

Mr. Bodwell.—Yes, I will call witness and tell all about it. Full warning was given before any building was done.

His Lordship.—It seems to me there is a very heavy onus on you to show that these men were dealt fairly with. These people spent their money building houses, and it is a pretty strong action on the part of the company to say 'you must live in Ladysmith as a condition of employment.'

Mr. Bodwell.—The company gave this out before they built.

His Lordship.—There is a strong onus on you to show this.

Mr. Bodwell.—We will give the exact date at which this notice was given.

By His Lordship :

Q. When was the general evacuation of the place? When did the people leave in a lump?—A. They left our house about 6 months ago.

Q. Did the entire 2,000 people leave 6 months ago?—A. Somewhere about that time. There were a lot of houses pulled down and brought down here.

By Mr. Bodwell :

Q. Who owned the town site at Extension?—A. Mr. Dunsmuir sold some lots, and Mr. Bramley sold others.

His Lordship.—Bramley owned the town site?

Mr. Bodwell.—Yes.

By His Lordship :

Q. Were any reasons given by the company for this order?—A. No, I have never heard any reasons, except that we had to go.

By Mr. Rowe :

Q. What size lot did you purchase there?—A. I could not say exactly, about 100 feet.

Q. What did it cost you?—A. I paid $1 a month, $100 for the lot. You have the option of paying $1 a month until you pay $100, and you have ten years to pay it. There is no title given until you pay the $100.

Q. Would the lots be surrendered to the seller if you defaulted?—A. Yes, I believe so.

By Mr. Wilson :

Q. Where would you sooner live, which is the most convenient place?—A. Extension, sure.

GEORGE JOHNSON, sworn :

By Mr. Wilson :

Q. Mr. Johnson, where are you now living?—A. In Ladysmith.

Q. What is your occupation? Where have you been working?—A. I am a miner, I have been working at Extension for 5 years last January.

Q. Tell the Commissioners what you have got to tell about the removal to Ladysmith?—A. Well, I was working in Extension, and there was a fire started there, and the place was taken from me and given to a Ladysmith man.

By His Lordship :

Q. Who was the man?—A. A Mr. Smith. There were three, I do not know the other men's names.

Q. When was this?—A. Twelve months last March, I think somewhere about there.

Q. What did you say about it?—A. I said nothing, I said 'that settles it, I cannot do anything now.'

Q. Did you ask why your place was taken away from you?—A. No.

Q. Was it a matter of indifference to you?—A. Yes.

By Mr. Wilson :

Q. Did you work for the company afterwards?—A. Yes.

Q. After you came to live at Ladysmith?—A. No, before I came to Ladysmith.

Q. After your place was taken from you, you worked for them since?—A. Yes.

Q. When did you move to Extension, and why?—A. Last September; I was told.

Q. By whom?—A. Mr. Dunsmuir.

By His Lordship :

Q. Were you told by Mr. Dunsmuir, personally?—A. No, not personally.

Q. Who told you?—A. John Johns said we would have to come down. He is the boss in No. 3. He said we all had to come down.

Q. When was this?—A. Last summer.

Q. Can you get any nearer than that?—A. In August, I think.

Q. Did he say why?—A. No.

By Mr. Wilson :

Q. Did you have a house there?—A. Yes, I took it down to Ladysmith.

Q. Because you liked to do it?—A. No, sir.

Q. Cost you something?—A. It cost me between the lot and the house about $500. I paid $250 for the lot—that is when it is paid for, I bought it on time. I bought it from the E. & N. Railway Co.

By His Lordship :

Q. Is that the way your agreement reads?—A. Yes, I think so. I have an agreement in writing.

Q. How much did you pay down?—A. Very little, I do not know but what that is my own business.

Q. We are not so deeply interested in it if you don't want to tell. If you think it is going to help your case to conceal any of the facts, that is your business.

By Mr. Wilson :

Q. How much have you paid on it altogether?—A. Five dollars.

By His Lordship :

Q. You paid $5 down? How much did you pay to move the house to Ladysmith?—A. I did the work myself, and the company brought it down on the cars.

By Mr. Wilson :

Q. You pulled the house down, and put it up again?—A. Yes, myself.

Q. Before this time had you not had an interview with Mr. Dunsmuir some two years ago about where the men should reside?—A. Yes, Mr. Dunsmuir said the men could reside where they wanted to, as losg as there was no kick among them.

Q. When did you see Mr. Dunsmuir?—A. Two years ago. I was one of the committee who saw Mr. Dunsmuir two years ago. He said it made no difference to him. He did not mention the company.

By Mr. Rowe :

Q. So long as sufficient work was done?—A. Yes.

By His Lordship :

Q. At this time had you your house built?—A. Yes, sir.

By Mr. Wilson :

Q. What else did he say, did he say anything about discrimination against the men?—A. He said he could not on account of residence. We reported back the same thing to the people who sent us down, and I put improvements on my house, relying on Mr. Dunsmuir's statement.

By His Lordship :

Q. What do you estimate your loss at?—A. Well, the house is there. It was not paid for, and is not yet. The agreement for the lot there was $100, and it was $250 here.

Q. How are these payments made, deductions from your wages?—A. No, sir, they would not do that. You received your money and pay it yourself.

By Mr. Rowe :

Q. In your interview with Mr. Dunsmuir, when he said it would make no difference where you lived, he said so long as the work was satisfactory?—A. Yes, he said it made no difference as long as the bosses were satisfied. The bosses were to be satisfied with the work, not the place of residence.

Q. I gathered from the last witness that the officers would have to be consulted as to the place of residence?—A. Mr. Dunsmuir told me to build at Extension.

By His Lordship :

Q. You would have remained at Extension if you had not been compelled to live at Ladysmith?—A. Certainly, I would.

Q. You have not given me any estimate of your loss?—A. Say $300, besides $150 extra for the lot, and price of pulling down the house and putting it up, and the inconvenience of riding up and down.

By Mr. Rowe :

Q. You say you worked 5 years for the company, all that time at Extension—you lived there all that time?—A. Yes.

GEORGE JOHNSON—Ladysmith, May 7.

Q. Your work was taken from you after the fire, and you came to Ladysmith?—A. Yes, since that time I have worked there, until last September.

Q. What instructions did you get about moving?—A. I was told I had to go to Ladysmith by Mr. Johns, that we all had to go to Ladysmith.

Q. And that you could not get work unless you did?—A. No, he did not say that.

By His Lordship :

Q. You took it to mean that?—A. Yes.

By Mr. Rowe :

Q. There was a difference in your pay?—A. One was by yardage and one by the ton.

Q. What was the difference in your earnings before and after that time?—A. I did not keep my statements.

By His Lordship :

Q. Is it cheaper to live at Ladysmith than at Extension?—A. Cheaper to live in Extension than Ladysmith.

By Mr. Rowe :

Q. Whom did you buy your lot at Extension from?—A. Mr. Bramley.

By Mr. Bodwell :

Q. How much were you making on your last work, do you know?—A. No, I did not keep my statements.

Q. Have you any idea generally?—A. Somewhere around $3.50 a day.

Q. You have not paid the rest of the payment on your Extension lot?—A. No, I have not been asked for that. I paid $1 a month.

Q. You commenced work when the mine began to be opened?—A. Yes

Q. And there was only preliminary work opening up the mine?—A. Yes, I was living at Extension then.

Q. How many men were working in the mine at that time?—A. Five in the tunnel, besides Chinamen.

Q. And this order for the men to live at Ladysmith was not made until they began to ship from the mine?—A. They were going to build a town site at Extension, and they were going to build one at Ladysmith and they decided on Ladysmith.

Q. Do you know the reason they built at Ladysmith, instead of Extension?—A. I can partly tell, I guess. I do not think there would have been any Ladysmith if the coal could have gone to Departure Bay.

Q. You think it was for the want of a port?—A. Yes.

Q. Is your idea then that the town would have been at Departure Bay or Extension?—A. Well, at Extension.

Q. You don't know anything about the difference in sanitary conditions between Extension and Ladysmith?—A. Yes.

Q. What do you know about that?—A. I don't know anything unless you ask me.

Q. You never heard that that was one of the reasons that Ladysmith was selected?—A. No, I always enjoyed good health.

Q. I mean the relative value of the two places, from that point of view. You never heard that discussed?—A. No, I cannot say that I have. They could have made the town site where they wanted if they had left me alone.

Q. Probably I had better take your advice, and leave you alone.

By Mr. Wilson :

Q. Might I ask if you think it was for the benefit of your health that you were ordered to Ladysmith?—A. No, sir it was a detriment.

GEORGE JOHNSON—Ladysmith, May 7.

Q. When was it that Mr. Dunsmuir first led you to believe you could reside at Ladysmith?—A. Five years ago.

By Mr. Bodwell :

Q. Was that the time of the deputation, five years ago?—A. No.

By His Lordship :

Q. Does Ladysmith depend upon this Extension mine for its existence?—A. Yes, as far as I know.

By Mr. Bodwell :

Q. How long have you been a coal miner?—A. Ever since I was 15.

Q. Which way is the future development of the Extension vein likely to come, towards Ladysmith?—A. I do not know as to that. Mr. Bryden may answer that, I don't know.

By His Lordship :

Q. In what was it cheaper to live at Extension than Ladysmith?—A. It is more of a country place.

Mr. BODWELL.—Not so many city temptations.

By His Lordship :

Q. Food is cheaper there?—A. Yes.

Q. How much cheaper?—A. I cannot say, they are up and down so much.

Q. Whiskey, I suppose, is the same price?—A. Yes, it might be a little cheaper there now.

SAMUEL MOTTISHAW, SR., sworn.

By Mr. Wilson :

Q. You live at Ladysmith, Mr. Mottishaw?—A. Yes.

Q. Your occupation is a miner?—A. Yes.

Q. Where have you been mining?—A. At Extension.

Q. Have you been mining many years?—A. I have been in mining the last six years, until I was with this company, off and on. The last time I had been working about four months.

Q. You attended a meeting held on March 8?—A. Yes, I was secretary of that meeting.

Q. There was a subsequent meeting held on March 12, at which you were also secretary, I think, and then one on the 14th?—A. Yes.

Q. These are the minutes of the meetings are they?—A. Yes.

(Exhibit 4.)

Q. When the first meeting on March 8 was called, it was called with the idea of asking for an advance of 10 or 15 per cent?—A. Yes.

Q. Tell us what took place at the meeting, and why it was that the motion was abandoned?—A. The first question that the chairman put to the meeting was that he understood the meeting was called to consider an advance of 10 or 15 per cent—not more than 15, but left it to the men as to whether it should be 10 or 15. The majority of the men did not want to hear anything about an advance. They thought it was no

use attempting to get an advance without organization. Everyone was clamouring for organization, and that knocked the first question out. The meeting was called on purpose to ask for an advance, and not for the purpose of organization at all.

Q. It was the general consensus of opinion to have some form of organization?—A. Yes, it was sprung on the meeting suddenly.

Q. Did it seem to meet with the approval of the large number of those present?—A. It was put to the meeting and carried, that we organize—that we organize in the Western Federation of Miners. There were only about three votes contrary; it was carried unanimously.

By His Lordship :

Q. Was it by ballot?—A. No, by show of hands.

By Mr. Rowe :

Q. How many men were there?—A. Between 300 and 400.

Q. When you say to be organized, you mean as a branch of the Western Federation of Miners?—A. Yes.

By Mr. Wilson :

Q. You knew at that time that the miners working at Nanaimo for the Vancouver Coal Co., or the Western Fuel Co. as it is now, I believe—you knew they were a branch of the Western Federation of Miners?—A. Yes.

Q. So from your intercourse with workmen at Nanaimo you had some knowledge of the organization?—A. I did not have any intercourse with the Nanaimo men.

Q. The miners generally were aware of the benefits to be derived from affiliation with the Western Federation?—A. What I learned was through the press. It was my opinion that a union by itself has no backbone. We did not want a useless organization.

Q. What were the wages that you were receiving when you were working there?—A. The last time I was there I was working at $3 a day. The last day I worked I got $2.60.

Q. How are the workmen paid in the mines?—A. Some places by the yard, and other places by the yard and tonnage.

His Lordship.—There is no object in going into this. We have plenty of things to inquire into without going into matters not a subject of dispute. There is no question of wages in your statement.

Mr. Wilson.—I thought it was information you would like to have.

By Mr. Wilson :

Q. Is there any check-weighman in Extension mine?—A. No, sir.

Q. So you have no means of ascertaining the amount of coal which the workmen send up?—A. None at all.

Mr. Bodwell.—That is not one of the things complained of.

His Lordship.—If you want to raise any other grievances, Mr. Wilson, you must give notice.

Mr. Wilson.—I don't want to spring anything on my friend without notice. There are other things bound to come out.

His Lordship.—If the men don't have any particular grievance, I don't think you should establish one for them.

Mr. Wilson.—I have only arrived here. How long have I had to acquaint myself with the condition of affairs?

Mr. BODWELL.—There is no objection at all, only I want to know if there is to be a point made out of it.

Mr. ROWE.—Of course we want to know all matters that enter into the relations existing.

Mr. WILSON.—I understand all this, and want to give everything that concerns my clients.

His LORDSHIP.—I have no objection as long as the other side has notice.

Mr. BODWELL.—I understand that each side has the right to amend on giving the other side notice. I only wanted to know whether this was going to be made a ground of complaint.

Mr. ROWE.—It seems to me if there is to be any effective regulation of work in the mines, all the possible items of complaint should be brought in some way before the Commission. If there is any favouritism in the matter of work and so forth, it seems to me that it is a matter which should be known. Speaking for myself, I hope that the counsel present will arrange so that there is nothing left out that is at all the occasion of irritation.

By Mr. Bodwell :

Q. You say you were getting a current rate of wages, $3 a day?—A. Yes, sir.

Q. Do you happen to know what the current rate of wages in the Vancouver Coal Company is, for the same class of work?—A. Yes, $3.

Q. Know anything as to rate of wages for the same class of work, or what the current rate is in the Fernie mines?—A. There is no comparison between the two mines.

Q. Do you happen to know what the current day rate is in Washington?—A. Yes, it is $2 in some mines and $2.50 in others, not more than $3.

His LORDSHIP.—I did not know that there is any complaint on the ground of wages. The Commissioners are only too anxious to hear evidence bearing on all complaints, but the evidence should be directed to those matters only.

Mr. BODWELL.—It will be necessary for me to show this in connection with the men's meeting to get a 15 per cent advance.

Mr. WILSON.—And then abandoned it.

Mr. BODWELL.—They abandoned it only to take up the work of organization.

Mr. WILSON.—I may say, in order to shorten the matter, that we are not bringing in any question of wages at all. My only object was that I intended to go a step further and show you something of the working of the mine.

His LORDSHIP.—My time is limited, and all we wish to know is evidence about any subject matter of dispute.

Mr. ROWE.—It seems to me that this whole matter originated in a desire to have an increase of wages. I understand the men wanted an increase, and felt it was impossible without a union, and that they wanted a union in order to get the wages.

Mr. BODWELL.—If that is the idea—

Mr. WILSON.—We don't want to raise any question of wages at all.

His LORDSHIP.—I suppose you admit the men's wages were as good as any received in America.

By Mr. Bodwell :

Q. Are you the person who posted up the notice to call this meeting?—A. I am.

Q. How did you come to do that?—A. By the unanimous request of the fellow workmen.

Q. When did you begin to get these requests?—A. Two weeks before the notice was posted up.

Q. You don't happen to remember the names of any men who requested you?—A. There are some gone away. There may be a few here. I could not give the names.

Q. Had you spoken to these men before they spoke to you on the subject of the meeting?—A. No. The first man I spoke to was Sam. Lauderbach about organization.

Mr. WILSON.—I submit that the names of men who were prominently engaged, unless produced as witnesses, should not be disclosed. The names of men who are prominently brought forward in an organization which does not meet with approval would possibly be blacklisted in the future.

Mr. BODWELL.—That is not my idea at all. It is simply because I have an idea I would not get all the story from one man, and I would like to know the men to go to.

Mr. WILSON.—I think Mr. Mottishaw will tell all he can.

Mr. BODWELL.—I want to be sure, that is the reason I asked for the names.

Mr. ROWE.—To get further information as to the individuals involved in the dispute here? It seems to me the Commission have not a very deep interest in that.

His LORDSHIP.—What was the question?

Mr. BODWELL.—Who he was talking with. I asked him who were the men he said.

WITNESS.—Landerbeck spoke to me.

His LORDSHIP.—I think you should give some kind of undertaking that these men would not be prejudiced. These people might be singled out. It is frequently done, and whether it is right or wrong we cannot shut our eyes to that. Unless this is done I do not think the names of these men should be asked. Perhaps it might be arranged between counsel. You might arrange to get the names in confidence from Mr. Wilson.

Mr. BODWELL.—One name has been mentioned anyway, it is too late for that.

By Mr. Bodwell :

Q. The subject of your conversation was organization?—A. Yes, before the meeting was called. About a month, more or less, before the meeting was called.

Q. And you had conversations from that time up to the date of the meeting with different men?—A. Yes, there were several spoke to me.

Q. And the subject of this conversation was organization, or an advance?—A. The advance was the first question talked about among the men.

Q. I understood you to say that was a month before?—A. Lauderbach broached the subject of organization. I spoke of that with him.

Q. And you talked with other men about organization?—A. Yes, before the meeting.

Q. Have you any idea of what number of men you talked to before the meeting?—A. Twenty or thirty.

Q. And then, after you had conversations with these 20 or 30 men, you had reason to believe that they were talking to other men besides yourself?—A. That might have been done.

Q. Have you any idea why all these men came to you to talk about organization?—A. Because I was in a more independent position than the balance of them.

Q. In what way?—A. That I am not obliged to be tyrannized by any boss. I am independent of any coal company.

Q. And consequently they selected you as a man to talk to?—A. Yes.

Q. Now, is it not the other way, that you selected them?—A. No.

Q. You lived in Nanaimo?—A. Yes.

Q. And were familiar with the workings of the organization there?—A. No, I was not in the lodge but once.

Q. You had familiarized yourself with the workings of the organization?—A. No, sir.

Q. Never talked with any Nanaimo men, or with the labour leaders?—A. Not until after the trouble.

Q. What date, the day you fixed the meeting?—A. Yes, I had talked with no one until after the meeting.

Q. Had any one talked to you at Nanaimo about organization at Ladysmith before the meeting?—A. Yes, I believe that cropped up there.

Q. Can you tell us when?—A. A few weeks before the meeting.

Q. Was it not before the time that Lauderbach spoke to you?—A. Lauderbach spoke to me before ever I thought about organization at all.

Q. It was two or three weeks before the meeting that it cropped up in Nanaimo?—A. Yes.

Q. How did it crop up there?—A. I suppose there was a general feeling that we ought to be organized, and able to defend ourselves.

Q. Who did it crop up with in Nanaimo?—A. I cannot remember the first persons that spoke to me on the question.

Q. Can you remember any person that spoke to you on that question?—A. I remember one person.

Q. Was he prominent in the labour organization in Nanaimo?—A. He had been in the old union, but not in the new. He was an official in the old union.

Q. He was working at the time?—A. Yes.

Q. He was a member of the union, but not an official?—A. I don't think so.

Q. You talked about the probability of being able to effect organization at Ladysmith?—A. Yes.

Q. Did you only talk with one person on that subject at Nanaimo?—A. There were very few.

Q. Was it because your conversations were confidential or because there was no one else interested?—A. I think all the men were generally interested.

Q. So this was confidential, and consequently you only talked to a few?—A. It may be so.

Q. Was it, or was it not?—A. I could not say.

Q. Why can't you tell us? Was it a confidential conversation which had to be kept among a few people?—A. There was nothing secret about it.

Q. It was not a confidential communication between you as to what should be done at Ladysmith?—A. That question was first broached in Ladysmith, and I had no communication in Nanaimo until after approached here by one of the men.

Q. You were talking to a few men. Now I ask you why?—A. I can only remember talking to one man.

Q. Was that because you did not want to talk to others?—A. If I did not feel like it.

Q. I am talking about a man you talked to at Nanaimo—

His Lordship.—This man at Nanaimo was not an employee of this company.

Mr. Bodwell.—He said he would rather not give his name.

His Lordship.—I do not see any objection to this man's name being given.

Witness.—It was John Johnston.

By Mr. Bodwell:

Q. And you and he discussed the question whether or not a labour organization could be formed at Ladysmith?—A. We talked the question over.

Q. You did not want to start the work of organization until you thought it would be a success?—A. I don't know.

Q. And you discussed the propects of its being a success?—A. Yes, I wanted to make it a success.

Q. And when you had discussed the plan you came to Ladysmith and talked it over here?—A. Casually.

Q. Every time you talked to the men when you considered it safe?—A. Yes.

Q. And when you had got a sufficient number of them you posted a notice of the meeting?—A. Yes.

Q. And the ostensible reason for an increase in wages?—A. Yes.

Q. But the reason you had for calling the meeting was to get organization?—A. No, sir.

Q. You say you came here for the purpose of making the organization a success?—A. Can I give you the difference between my proposition asd Mr. Lauderbach's Mr. Lauderbach made the proposition that we should organize. I and my son went over there about a month after. We broached the subject on the cars. I said, I don't think it would be wise to mention union at all. We could get more from Mr. Dunsmuir by not mentioning anything about union at all. He dropped his proposition and accepted mine, that we would make more by not organizing.

Q. That was at your first conversation?—A. No, the second.

Q. Pretty nearly a month before the meeting?—A. Yes.

Q. The second conversation was how long after the first one?—A. About a week.

Q. So there were two weeks before the meeting or the second conversation?—A. It may have been one or two weeks before the meeting on the 8th.

Q. When you talked to the other men, what was their idea, did they adopt your suggestion or that of Mr. Lauderbach?—A. There was a consensus of opinion that we were entitled to a little of the 67 cents a ton rebate on duty.

Q. They thought that Mr. Dunsmuir should divide up the 67 cents?—A. They wanted a small division.

Q. Although the rate of wages was as high here as at other places?—A. They are not. I know a man who made only $1.30 digging coal on contract by the ton.

Q. Who is the man?—A. They would discharge an employee at sight if I told you his name. I will produce the statement, his name is on the statement.

Q. Where is the statment? You say you know a man who only got $1.30?—A. Thereabouts.

Q. I want to know the name of that man?—A. I will tell you later on.

Q. How many men do you know of that kind?—A. I know there is quite a few under $3 a day by contract.

Q. Do you know the reason why they don't make it?—A. There may be two reasons.

Q. What are they?—A. Digging dirt and getting nothing for it.

Q. Where do the men work?—A. I don't know the place.

Q. Do you know the conditions at all?—A. The conditions vary considerably.

Q. What is the second reason?—A. Maybe the man may be a little deficient himself.

Q. Which do you think is the real reason?—A. Deficient place.

Q. Are there any men working in the Vancouver Coal Co. who do not make over $1.30?—A. They have an agreement there, that no man shall work for less than $3.

Q. Whether he earns it or not?—A. If he is not able to earn it they don't employ him.

Q. And if he does not earn it the union would call a strike?—A. I am not talking about strike at all.

Q. But I am. You want to introduce a state of affairs by which a man who is not able to make over $1.30 can make over $3?—A. I don't want to introduce anything at all.

Q. How much wages does your son make?—A. About $50 some months.

Q. Would you be surprised to know that he made $5.01 in September, $6.02 in January and $5.25 in February?—A. I don't think that is true.

Q. And that his brother made $7.06 in December, $4.73 in January and $4.91 in February, would that surprise you?—A. I don't believe that is correct. My son will be able to prove that.

Q. That is taken from the books of the company. Your son makes the money—not out of favouritism?—A. There is that more or less in every mine you go to.

Q. You think your son is favoured?—A. I don't say that.

Q. He must be a good workman?—A. Yes, he must be.

Q. They make allowances when they are given poor places?—A. A good man would, but a poor man would not.

Q. Why would a poor man not get the same?—A. Because they are down on him. In Extension there is the greatest inequality in wages that I have ever known of. It consists in the measure of the coal.

Q. Do the men not get a fair measure?—A. The vein varies. In some places there will be 4 feet of dirt, and they pay for powder where there is no money in it. It does not pay for powder.

Q. Do they get an allowance?—A. Sometimes, but not sufficient.

Q. Not sufficient for what?—A. For instance, I mined 4 tons of dirt and 3 of coal, I got nothing for the dirt.

Q. That was only one day?—A. Yes.

Q. So there was no time to form an estimate of what allowance should be made. Do you think the company are bound to fix a rate on one day?—A. No, they must have a reasonable time.

Q. Have you any reason to believe that it would have been a whole month at the same figure?—A. No, of course I would not have worked.

Q. That particular instance does sot show anything?—A. There are several men who have to take just what they can get.

Q. Do you suggest as your statement that when the company have a man working for them who is not independent, that they put him in a place where he could not make a wage? Are you ready to commit yourself to that proposition? Do you make the charge that this company, when they find a man is not independent so that he must work, that they put him in a bad place, and give him pay he cannot live on?—A. The nature of the mine makes the wages. I am not going to lay any charge to the bosses at all. It is true all the same.

By Mr. Wilson :

Q. You told us you put up that notice, was it signed?—A. No, sir.

Q. Why not?—A. For certain reasons; that we did not want the officers to know who put the notice up for fear of being discharged.

Q. In discussing this question of organization with Lauderbach and others, did you conceive the idea that organization would be a benefit?—A. If you make an organization successful it certainly would be.

Q. So that was your sole object in promoting the organization of the miners?—A. Yes.

Q. You told us something about inequality of wages, you said there was a greater inequality of wages here?—A. It is the inequality of the coal measures. They run thick and run thin.

Q. And when it runs thin a larger amount of dirt has to be taken out of it?—A. Sometimes there is an allowance made, sometimes not. There used to be a schedule of prices, but that is done away with. Now it has lapsed into the old condition.

Q. Upon what rate is the pay made?—A. The schedule of prices is the same in the narrow work, $5 per yard, which is $2 less that the Vancouver Coal Co., which is $7 per yard. It is always between $1.50 per yard less than the Vancouver Coal Co. or the Western Fuel Co., as it is now called.

Q. Is there anything else you would like to tell us with reference to this matter?—A. The consensus of opinion is that there is a great injustice done to the men by the weighing machine. They don't know how many hundred to the ton they are digging.

By His Lordship :

Q. Did you work for the Vancouver Coal Co.?—A. For 10 years.

Q. Why did you quit?—A. Because I wanted a change.

Q. When did you quit?—A. About 6 years ago last September.

Q. You went farming then?—A. A little bit.

Q. You were not discharged?—A. No, sir, I do not think I was ever discharged in my life yet. I guess this is about the last time.

Q. Why do you say it is necessary to join the Western Federation of Miners?—A. I did not say it was necessary to join the Western Federation of Miners.

Q. Do you think it necessary?—A. It is necessary to have an organization that is able to stand.

Q. Do you say it is necessary?—A. I do not say that.

Q. What is your opinion about it?—A. I think if the Western Federation stand by the men it is a good thing for the men.

Q. Would it be sufficient for the purposes of the men if they organized some Canadian organization?—A. Provided it was a good strong organization. A Canadian organization would answer the same purpose, provided Dunsmuir could not kill it.

Q. Suppose the coal miners of the province formed a union of their own, would it be strong enough?—A. I suppose it would. It would depend on the strength of the capital to oppose it.

Q. You would not say at all events, that a union of coal miners of British Columbia would not be sufficient for all legitimate purposes?—A. Vancouver Island is isolated. A union on Vancouver Island alone would not answer much, I don't think.

Q. But take the whole province?—A. The whole province I think would be all right.

Q. It is plain I suppose that if our people join a union whose headquarters are in Denver, they are to a certain extent outside of the country?—A. I think the idea that the men wanted to join the Western Federation was on account of its strength, and the numerous failures of local unions. Men have been discharged for taking part in a union.

By Mr. Rowe :

Q. The local union in Nanaimo existed without the Federation?—A. It was a figurehead. It was no good. They could approach the management—it was good for that—but financially it was no good.

Q. How do you mean financially?—A. Supposing there was a strike, there would be no backing.

Q. Is a strike ever prevented by that fact?—A. It has a tendency to prevent them.

Q. Would you have struck if you had the funds?—A. There was no necessity cropped up for any action like that.

By His Lordship :

Q. You say you think a union of all the men in British Columbia would answer all legitimate purposes?—A. Yes, provided capitalists could not disrupt it.

SAMUEL MOTTISHAW, Sr.—Ladysmith, May 7

By Mr. Wilson :

Q. The Commissioners asked if, in your opinion, an organization extending throughout British Columbia would be sufficient protection to workmen. Would not the effect of that be, without a proper alien law, that workmen could be brought in from the other side in the event of any disagreement?—A. That would depend on circumstances.

Q. With your affiliation with the Western Federation you have got such an organization that workmen will not come from the other side to displace men here?—A. No.

Q. If the union were restricted to British Columbia there would be no moral support on the other side of the line?—A. It would have a tendency to encourage scabs to come in.

By His Lordship :

Q. At the present time I understand the miners of Washington come in.

Mr. Wilson.—They would not with a proper alien law.

His Lordship.—If you have not a proper alien law how do you keep the scabs from Washington from coming in? Assuming there is no proper alien law, all the miners in Washington could come in, because they do not belong to the union.

By Mr. Rowe :

Q. Are we to understand that if there was a union in British Columbia, and that union were having trouble, that the Western Federation of Miners would allow men to come in and take their places?

Mr. Wilson.—That is what I want to know.

By Mr. Wilson :

Q. Answer the question that Mr. Rowe has put. Union labour on the other side of the line would not interfere with you if you had a union of your own?—A. No, if the Western Federation was on the other side and here they would help the brothers here, and the other way it would be just the reverse. If the Western Federation was over the line the one would help the other.

By His Lordship :

Q. Do you mean to say that the Western Federation would play the part of scabs and take the places of the men here?—A. I don't think so.

By Mr. Bodwell :

Q. There is a question I would like to ask about. Is it not a fact that the men had a check-weighman?—A. Yes, for a little while.

Q. And they gave it up?—A. The company would not allow the check-weighman to deduct the boxes from the workmen to pay the check-weighman's wages.

Q. The company would not allow the check-weighman to deduct the boxes?—A. They would not allow him to have a tally.

Q. The check-weighman wanted to make sure of his wages by taking a box out of the men's production?—A. Yes.

Q. The check-weighman was to get so much per month and wanted more wages?—A. No.

Q. I understood you to say that the check-weighman was being paid by the men?—A. Yes, that is right.

Q. But he wanted to get more salary than the men had agreed to pay him?—A. I don't think so.

Q. He wanted to take a box of coal until he had sufficient to pay his wages?—A. Yes, there was a mutual understanding between the men and the check-weighman.

It was less trouble to procure his wages that way. He could go to the office and get his wages handed out, and the other way he had to lose a day in collecting the dues.

Q. It seems to me that it was simply a question of the man paying himself or trusting to the employers to pay him?—A. It was the advantage of not losing a day to collect his wages.

Q. Because the company did not want the business done in that way, the men decided not to have a check-weighman?—A. It was on account of the last time.

Q. Do you want us to believe that if they had any serious doubt about the wages they were getting they would have agreed to give up the check-weighman?—A. That would be a short-sighted policy to do that. There may be some men who would be too mean to pay for the coal being weighed.

By Mr. Rowe :

Q. What is the other method of paying the men?—A. They have a machine there. On the same boxes that used to run 28½ hundredweight, now the standard is reduced to 16 hundredweight.

Q. Was the check-weighman taken off because the company objected?—A. Really, the company did not want any check-weighman at all.

His Lordship.—Do you intend to insist on this as a grievance? I don't propose paying any attention to grievances that are not stated.

Mr. Wilson.—I had dropped the subject, it was brought up by my learned friend.

His Lordship.—If you are going to bring it up let us have it stated.

Mr. Bodwell.—This man brought up the subject of check-weighman.

His Lordship.—I want it clearly understood by both that I do not intend to hear evidence on any grievance unless it is to be made a point of.

Mr. Wilson.—I understand this, and I intentionally yielded to what you said.

His Lordship.—You had better either drop the subject, or have the statement amended.

Mr. Bodwell.—Now that it has come up I think it had better be investigated.

His Lordship.—I won't pay any attention to it unless it is made a part of the statement. I propose to confine my attention to this memorandum.

Mr. Wilson.—If we decide to make a special point of this we will give notice.

His Lordship.—That is business.

Joseph Jeffries, sworn :

By Mr. Wilson :

Q. Where do you reside?—A. In Ladysmith.

Q. You are a member of the local union?—A. I am.

Q. You are engaged in mining?—A. Yes.

Q. Were you appointed as one of the committee to see Mr. Dunsmuir?—A. I was, after Mottishaw, Bell, and Pritchard had been discharged.

By His Lordship :

Q. What was the date of the interview?—A. I think on the 18th April, about that time.

Q. You saw Mr. Dunsmuir on the 18th April?—A. Yes, in Victoria. There were four of us appointed as a deputation to see Mr. Dunsmuir, myself, Mottishaw, Robinson and Malone.

Q. Who appointed you?—A. The executive of Enterprise Union—the new union.

Q. Well, tell us about it?—A. When we arrived in Victoria we asked for an interview with Mr. Dunsmuir, and got one. He inquired our business. We asked him would he open up the mine, reinstate the men who had been discharged, and let us go to work. Mr. Dunsmuir questioned us—did we belong to the Western Federation of Miners? We said we did, and he then said 'I can't talk business with you.' Before he would talk business with any committee we would have to call an open meeting, purge ourselves from the Western Federation and appoint a committee, and then he would talk business, and then only. I then asked him if he intended that he would not employ any men belonging to the Western Federation of Miners, and he said that was so. The next question was asked 'Supposing we broke from the Western Federation of Miners and formed a local union here, would that meet the requirements' and he said he would have nothing to do with any union at all, nor would he employ any member of the union. That of course, ended our interview. Of course we said seeing that was the case we would have to return.

By Mr. Wilson :

Q. Was there any one present with Mr. Dunsmuir?—A. Mr. Dunsmuir, Mr. Hunter, and Mr. Frank Little.

By Mr. Bodwell :

Q. He said he had no objection to meeting a committee of his own men?—A. He said he had no objection to meeting a committee from an open meeting, after purging ourselves from the Western Federation of Miners.

Q. If you withdrew from the Western Federation of Miners and appointed a committee he would discuss with them?—A. Yes, if we had declared ourselves away from the Western Federation of Miners.

Q. How long have you been working at Extension?—A. I have been working for the company for about 10 years.

Q. That is always the course that Mr. Dunsmuir's men have adopted? They have often had committees of his own men to meet him?—A. I don't remember any.

Q. They used to meet Mr. Bryden?—A. In all my experience in working with this company I only know of two meetings being called, one at Ladysmith and one at Wellington. He gave them 10 per cent advance in February, somewhere about that time. It was kept on for one month, and then a notice was put up that it would be discontinued. The pushers and drivers raised a kick, were going to quit work, so there was a mass meeting called. The company was asked to allow the ten per cent to stay on. A committee was appointed to wait upon him.

Q. As to Ladysmith ?—A. That was this last one.

Q. Mr. Dunsmuir seemed to object to your calling yourselves a union ? He did not object to your organizing, or associating yourselves together, so that you could represent your grievances ?—A. Is it possible to represent our grievances without forming a union ? He also said no form of organization.

Q. Did he say he would not submit to any form of organization among yourselves, or did he say union?—A. When we went down in the first place he asked were we members from the organization of the Western Federation of Miners. We said yes. He then said, 'I cannot talk business with you.'

Q. Then he said if you would hold a meeting and withdraw from the committee he would talk with you, and he said he would have nothing to do with any union?—A. Yes.

Q. You drew the inference that he would object to any kind of organization whether it was called a union or not?—A. I call an organization, a union.

Q. The conclusion you formed in your own mind was that he was opposed to any kind of organization among the men?—A. Yes.

Q. But what he actually said was that he would not have anything to do with any union?—A. Yes.

Q. You don't say that you do not think that if you had a grievance you could not get it before Mr. Dunsmuir—that he did not want to listen to any grievances? You did not think he would object if the men appointed a committee, that he would object to listen to that?—A. No, certainly not.

By Mr. Wilson :

Q. There have been but two general meetings that have appointed committees to wait on Mr. Dunsmuir, and one was when this 10 per cent had been given. When was the other?—A. In Ladysmith. That was outside of any union. I am talking about when the men were not organized in any union. There have been only two public meetings.

Q. Have you had any effective organization among the miners?—A. For a little while.

Q. Why didn't it last ?—A. I don't know, I was a member of it when they stopped the union pay in the company's offices. It was taken in the office from each man's pay. The company, for some reason or other, quit stopping the pay in the office.

By Mr. Rowe :

Q. When was that union?—A. I cannot answer that very well as to the date.

By Mr. Wilson :

Q. When you were talking to Mr. Dunsmuir in Victoria, was there any doubt in your mind as to the meaning of the word union?—A. None at all. He knew what we meant, and we knew what he meant.

By Mr. Rowe :

Q. Did the union at Extension ever send a committee to Mr. Dunsmuir?—A. I think so.

Q. They had a committee and Mr. Dunsmuir used to deal with it?—A. Yes.

Q. Was that within the last two or three years?—A. Within the last four years.

Q. The company used to collect the dues for the members in its offices?—A. Yes.

Q. What were the dues utilized for—union business?—A. I suppose so, I was not an officer.

Q. There was no medical arrangement ?—A. No.

By His Lordship :

Q. How did it break up?—A. I cannot answer that question.

His Lordship.—We would like to have some evidence as to the membership of that union, its formation and break-up.

(The Commissioners expressed a desire to visit Extension, and Mr. Bodwell agreed to arrange for a special train at any time to suit. It was arranged to visit Extension in the afternoon, if convenient, or the following morning.)

SAMUEL K. MOTTISHAW, JR., sworn :

By Mr. Wilson :

Q. Are you a son of Mr. Mottishaw who gave his evidence this morning?—A. Yes, sir.

Q. You worked in the mines and reside in Ladysmith?—A. Yes, sir.

Q. Were you a member of any committee in regard to these troubles?—A. Yes, I was on two committees. I was on the committees to interview Mr. Dunsmuir.

Q. Did you attend on him at Victoria?—A. Yes, the first time was on April 1, and the second time on April 18.

Q. What took place on April 1?—A. We were refused an interview.

Q. How many went down?—A. Three of us.

Q. You went down on April 18; what took place then?—A. We gained an interview with Mr. Dunsmuir, and asked him if he would open his mines and reinstate all the men who were discharged. He asked us the question, were we members of the Western Federation of Miners, and we told him yes. Then he said, I cannot talk business with you. Until you purge yourselves from the Western Federation, call an open meeting and choose a committee from that meeting and send them down to me, then I will talk business ; but he would not talk business with members of the Western Federation of Miners.

Q. After that, what was said?—A. He was asked the question, would he allow his miners here to have a union of their own in Ladysmith and Extension mines. He said, no, but I will allow my own men to have a standing committee, so that they could interview him, or the men could report any grievance and that committee could interview him, and we could probably settle the dispute that we might have.

Q. Now, were you discharged from the mine?—A. Yes, on March 10.

Q. Who discharged you ?—A. The mine foreman, No. 3 Mine, John Johns.

Q. Was your father discharged at the same time ?—A. Yes.

By His Lordship :

Q. Any reason given?—A. No, sir; there was no reason given. Not definite. I always got along well with the foreman of the mine, and I was requested to square up my place and take out my tools. Mr. Johns said he had received instructions to that effect. He is the foreman of No. 3 mine.

Q. Did not give any reason?—A. No, sir.

By Mr. Wilson :

Q. And at the same time your father was dismissed?—A. Yes.

By His Lordship :

Q. Any one else?—A. I could not say, your Lordship. After I came down to Ladysmith I was told that James Pritchard was discharged.

By Mr. Luxton :

Q. Have you ever had any grievance that you wanted to bring before Mr. Dunsmuir that you have not been able to bring before him?—A. No, sir.

By His Lordship :

Q. Have you ever belonged to a union before?—A. I was vice-president of the union at Extension about three years ago.

Q. You might tell us shortly, the history of that union?—A. Well, really, as regards the history of that union I know but very little. There appeared to be a certain amount of unrest, and the men did not seem to have confidence in one another. For that purpose, I suppose, I was asked to take that office. I was living at No. 1 Extension. The union held its meetings at the tunnel, and I suppose it is a walk of about

3 miles, and I did not use to attend the meetings very regularly, although I held that office. It finally disbanded, but the cause of its disbandment I don't know, I could not say.

By Mr. Rowe :

Q. As far as you know it was not through any action of the company?—A. Yes, so far as I know.

Q. Were all the members eligible for membership in the union?—A. Yes, they were eligible, but I don't think all belonged.

Q. It used to meet in one particular place?—A. Yes, in Finn's hall.

Q. How long since it has been broken up?—A. Probably 18 months or two years ago. I could not be sure about the time.

Q. Was it not in existence after the offices of the company were here? I thought perhaps you could fix the time?—A. It was before the offices were moved down here.

(Adjourned until 2 p.m.)

His Lordship.—The Commission have thought in the luncheon interval that it might possibly tend to bring about a settlement if the Commission were enabled to interview the executive of the association here, and if the executive wish to meet us we shall be glad to see them when the Commission rises this afternoon.

Mr. Wilson.—We might say 5 o'clock after the session. They shall be glad of an opportunity of meeting you. I hope that you will consider that your former intimation received all the consideration which it deserved. They simply differed with your views. I shall try and make the necessary arrangements in the meantime.

His Lordship.—How many members are there on the committee?

Mr. A. A. Barnes.—I believe there are 12, your honour.

(Commissioners arranged to meet the executive of the local association at the close of the day's sittings.)

Joseph Tassin, sworn :

(Mr. Tassin being a Frenchman and unable to speak English, Mr. Jules Moullard was sworn as interpreter).

By Mr. Wilson :

Q. Where do you live?—A. At Ladysmith.

Q. Where have you been working?—A. At Extension, as a miner.

Q. Have you ever lived at Extension?—A. Yes, about 4 months.

Q. Why did you leave Extension to come here?—A. First, I was told to go to work at Extension No. 1, and when I came to ask for a job the boss told me I was supposed to build a house at Extension No. 1 before I could get a job. When the work was done at No. 1 I came down to the tunnel, where I was 4 months ago. I had to move my house from No. 1 to the tunnel.

By His Lordship :

Q. What distance?—A. About 3 miles.

By Mr. Wilson :

Q. And after that ?—A. Then I heard that every one was supposed to go to Ladysmith. I was about to build a house. I had not applied for work yet.

Q. Have you built a house here ?—A. I have a big house, 24 x 34.

By His Lordship :

Q. Did he build a house, or move it down here ?—A. I built the house at the tunnel and moved it down here.

Q. You moved it down here ?—A. Yes, rebuilt it here.

Q. Which place do you prefer to live in ?—A. I like Extension better.

By Mr. Rowe :

Q. Why ?—A. Because I have more accommodation, and am closer to my work.

By His Lordship :

Q. What do you estimate your loss at ?—A. It took me about two months to take down the house and build it up again.

By Mr. Luxton :

Q. When did you come to Extension first ?—A. I don't remember exactly.

Q. How many years ago ?—A. About three years, lived at No. 1 Extension.

Q. When they were getting the mine ready ?—A. Yes, when they began to take some men to open the work. I don't remember exactly.

Q. It was before they began mining coal ?—A. There were only a few men working there, I was one of them. They had not begun to mine coal.

Q. No. 1 is not being worked now, is it ?—A. No. 1 was still working when I quit. I got out of a place, and they thought it was better for me to go to some other mine.

Q. Who was the boss who told you that you would be supposed to build a house ?—A. That was Mr. Haggart.

Q. Is this the first time that you moved from No. 1 to the tunnel, or down here ?—A. When I went from Wellington No. 5 to No. 1.

Q. Were there any boarding houses there then ?—A. I do not know anything about boarding houses. Mr. Haggart told me to build a house and then come to work.

THOMAS DOHERTY, sworn :

By Mr. Wilson :

Q. You are a miner by occupation, Mr. Doherty ?—A. Yes, sir.

Q. You have been working at Extension ?—A. Yes, sir.

Q. Where do you live ?—A. At Ladysmith.

Q. Where formerly ?—A. At Extension, after I went to work there. I lived in another place formerly.

Q. How long have you lived at Extension ?—A. Probably about 10 months.

Q. Why did you leave ?—A. I was informed by the mine foreman I would have to leave, or else my place would be given to any other man from Ladysmith who wanted the place. The foreman was John Johns.

By His Lordship :

Q. How long ago was this ?—A. The first time I guess that he warned me would be in July or August of 1902.

By Mr. Wilson :

Q. Under what circumstances did that take place ?—A. He came into my place at the end of the month—I would not be sure of the date—and asked me where I was living. I told him Extension. He says, 'it is time you were getting down to Ladysmith,' or words to that effect. I did not take very much stock in what he said, but in the course of a few days he asked me again if I had moved to Ladysmith. I said no, and I wanted to know if I was forced to move. He told me the way the case stood I would have to move, or leave my place liable for any man at Ladysmith, or that I would be discharged.

By His Lordship :

Q. What did you say to that ?—A. I told him I did not want to leave. I preferred living there, but if it was a case of necessity I supposed I would have to shift, and I did shift.

By Mr. Wilson :

Q. With whom were you living there ?—A. I was boarding with Mrs. Bailey.

Q. Who was she ?—A. She was a widow lady, the wife of the late W. J. Bailey. I believe he was a former employee of the company. He was killed in the mines.

Q. Then she built a boarding house there ?—A. He had built it previous to his death. At the time I was boarding with her that was her only means of making a livelihood. We preferred turning our board money in to her.

Q. What happened to her as a result of her losing her boarders ?—A. She had to shift from there to Nanaimo, and Nanaimo being already croweded she was unable to make a living there, and moved from there to Crofton. She has a son-in-law there who, I think, provides for her in some shape.

By Mr. Rowe :

Q. Do you board now at Ladysmith ?—A. Yes.

Q. What is the difference in board ?—A. Practically no difference at all.

By His Lordship :

Q. Why did you prefer to live in Extension ?—A. One preference was, I was nearer to my work. I like to live as near to my work as possible, and I wished to turn my money in to this woman, as we felt she was deserving of sympathy.

Q. She didn't try to establish a boarding house in Ladysmith ?—A. Yes, I think she approached Mr. Dunsmuir. I told her that her best plan was to see Mr. Dunsmuir and see if he would not allow her to move, or for us to remain with her up there, before he went to the old country. He had gone, I think, but he wrote a reply referring her grievance to Mr. Little. Of course, what transpired between him and herself, she could give better evidence than I could. She did not appear to be satisfied. She said she got bad satisfaction from Mr. Little. After Mr. Dunsmuir came back to Victoria she went there to try and see him and was unable to do so. I only have her words for that.

JAMES A. BAKER, (recalled).

By Mr. Wilson :

Q. I wish to ask you with respect to the disposition of the funds of the Western Federation of Miners ? I am afraid we did not get a correct idea as to this before—A. There is only one general fund in the Western Federation of Miners. That is

for the maintenance of all the business of the Federation, as well as assistance for its locals. In case of locals being in trouble the same fund is used for that. It is also used for the general business expenses, such as for my own case, for instance, while I am in service for the organization, that is paid from that fund.

Q. Can you give an instance of the application of these funds in British Columbia?—A. There has been much of it distributed in British Columbia, large amounts during the trouble in Rossland, and the disaster at Fernie. As soon as a wire reached Denver on the morning of the assembly of the convention last May there was $3,000 immediately appropriated to be sent there for relief. A few days ago at Frank I telegraphed to find out their intention. The secretary replied that they would need financial assistance. I notified the Denver office and they recommended that $1,000 be sent. They requested my sanction to it.

Q. Would it be proper to say that a larger sum could be had, if needed?—A. Yes, I am instructed to go there and see what is needed.

Q. Is there anything further you would like to tell the Commissioners with regard to the organization, which escaped us yesterday?—A. Unless it might be to point out that the aim and object is to create and maintain the most friendly relations beween ourselves and employers. We believe that through organized methods we can perfect that idea to a much greater extent than it can be done without organization. We have proved it in many instances.

Q. You have demonstrated that organized labour meeting organized capital can settle their grievances better?—A. Yes, and even if it is not organized capital, even if it is an individual employer. I think it is much more satisfactory if he can deal with committees. Many grievances are brought before the local organization. They are investigated by the committee, and sometimes by the organization at a regular meeting, and it is often turned down and the employer hears nothing of the trouble. If it is deemed worthy of notice a committee is formed to wait on the management and see what adjustment can be made. It limits grievances that arise from minor circumstances.

Q. Do you think the same purpose could be obtained by a committee of unorganized labour approaching their employer?—A. I don't think so, especially if there is any feature of discrimination involved, for the reason that they have no protection behind them. They think a man is signing a warrant for his discharge when he takes the position.

By Mr. Bodwell:

Q. Of course what you have just been telling us is not the exclusive quality of the Western Federation of Miners; any labour union properly organized could accomplish that result?—A. No, I hope we have not a monopoly of that.

Q. The only reason you can suggest why a permanent committee from an unorganized body of men would not do as well would be that the men would not be willing to serve on the committee for fear of discharge?—A. I don't say that. That would be a prominent reason. The men feel bound together by a common obligation, and there is more confidence existing.

Q. There is better machinery in an organization such as yours than might be found among one lot of men alone?—A. Yes, I think so.

Q. Now, you spoke yesterday about the Western Federation being affiliated with the American Labour Union, and also seeking affiliation with the United Mine Workers in the east?—A. They were negotiating for an arrangement for interchangeable cards.

Q. What does that mean?—A. It means that if a member of the Western Federation goes into a camp where there is an organization of the United Mine Workers that a transfer may be effected into that union, or vice versa.

Q. That could be arranged between your Federation and any other labour union you wished to make the arrangement with?—A. It is interchangeable membership.

If he shifts from the United Mine Workers to the Western Federation he comes under the constitution of the Western Federation.

Q. If there was a Canadian federation of miners that interchange of cards could not be arranged between your Federation?—A. It could be done. That is one of the features of affiliation.

Q. Affiliation, as I understand it, means the affiliation of everything except corporate interests?—A. The unity of everything. The aims and methods would be the same.

Q. One body would lend its moral force and its sympathy to the affiliated body to as large an extent as possible?—A. It would not be so complete in our opinion.

Q. So far as moral support is concerned it would be nearly as complete?—A. I don't think it would for the reason that they would not be so closely in touch with each other in business relations.

Q. Suppose there was a body here affiliated with the Western Federation of Miners, and that they were having a labour trouble. Would not the Federation do all they could to assist in that trouble?—A. Most assuredly.

Q. Don't they sometimes tax themselves for the benefit of affiliated bodies?—A. Yes, and for non-affiliated bodies.

Q. So that if there was a Canadian Federation there would be nothing to prevent this kind of affiliation with the Western Federation of Miners?—A. Well, it would not be so complete. I do not see why good feeling might not exist.

Q. The only element lacking would be the fact that the officials of one body could not call on the other for financial assistance?—A. Yes, there is another feature. While they are affiliated as they are, they are a body practically all of the same organization in case of trouble arising, while if they have organizations throughout the country they must have all the men organized. These unorganized men may be easily prevailed upon to take the places of other men, when if they looked on it as part of their business they would use their influence to prevent these men being taken from other places of business.

Q. Suppose that there was a Canadian federation and a strike was on, and a body of men were being taken from a place where the Western Federation of Miners was—a body of non-union men—do you mean to say that the Western Federation would not use their influence to prevent that?—A. They would use their influence as far as they reasonably could.

Q. They would not make a business of finding out?—A. They would not be in touch with each other. They would not know, as they do to-day, where other unions exist and the conditions. What I was about to say is this: They might not have information of the union being in existence. It might have passed out of existence and they would not know of it.

Q. Supposing there was a union here fighting a case, they would know where the general offices of the Western Federation were?—A. Yes.

Q. So that except for the fact that it would not be the business of the Western Federation—that is the only thing to prevent them being exactly in the same position as if they were actually one corporation?—A. No, the separation would lend great discouragement to the men in their efforts to fight organized capital.

Q. The Western Federation do not expect to take the burden of fighting organized capital alone?—A. Certainly not.

Q. Why could they not affiliate just as well for that fight with a Canadian organization?—A. It is an international organization. It is not particularly American.

Q. For all practical purposes it may be called an American organization?—A. I do not know why, any more than others, the railway men, the typographical union, telegraphers and all the others.

Q. The headquarters are in the United States, and its permanent officers are in the United States, except yourself?—A. At the present time, yes.

Q. That is the condition to-day, and what I want to know is whether there is any serious difficulty in an affiliation between the Western Federation and a Canadian organization more than there is between the Western Federation of Miners and say the United Mine Workers of Pennsylvania?—A. There are other features why these have been held apart, features of the different forms of organization.

Q. Can weigh-men and time bosses belong to a union in the Western Federation?—A. I do not know whether there are any cases or not. If they are agents of the corporation as representing the company on the one side as against the interests of the men on the other, I would not consider they were eligible.

Q. Any one who is an agent of the employer could not join the union?—A. Take for instance a man who has the power of hiring and discharging men. We would not regard him as eligible.

Q. Where do you draw the line, what is the rule?—A. Where his agency interferes between other employees and the corporation or employer.

By His Lordship :

Q. I would like to hear a little more about the exact power of the central body over the local union? Suppose there was a man wanted to join the union say at Fernie, and he had not been allowed to join. Suppose it was a case of prejudice, and he came to Ladysmith and there was a union here, what would be his position, would he be allowed to join the union here?—A. Not until cleared there. He would have the right in that case to have his case taken before the executive board and from them to the ensuing convention.

Q. If he was excluded from the union at one point he could not get admission at another?—A. Not until that was cleared up.

Q. Suppose the man did not want to join a union at all, and came here. What would be his position as regards work? Would the rest of the men strike if he went to work? What is the rule about that?—A. In the majority of cases there are non-union men working where we have union men at work. In some cases the organization is practically complete. At Frank the organization was one of the most strength in America, although small. If a man came there, and was not in a position, financially or otherwise, to join the union, they allowed him to work a sufficient time until he had a pay-day, and he was taken in then, provided there was nothing in his record to bar him.

Q. Suppose he did not want to join the union? Could he have stayed there?—A. I don't think he would have stayed there. They would probably have made it uncomfortable for him, where a man has established a record in a case of that kind.

Q. Suppose he simply did not want to join the union, and he came to Frank and stayed there for a month, and he did not join the union, what would happen to that man?—A. Personally, I think in such cases a great deal of leniency would be shown. I think every reason would be shown him.

Q. Suppose they could not convince him, what then?—A. One never knows.

Q. What stand would the union take?—A. If he was a hopeless case it would be a local action. I don't think they would have power to strike in a case of that kind.

Q. Well, what else would they do, drive him away?—A. There is no occasion for such a clash to arise, for the reason that the relations between employers and employees have been on the most friendly terms.

Q. I am only using that case as an illustration. Suppose this union has continued here, and there are 20 or 30 or 40 men who don't want to join the union. What is going to happen? Are those men allowed to pursue their employment peaceably?—A. I think they would be allowed to pursue their employment peaceably.

Q. What power would the union have in that respect? Would the local body have power to take action?—A. They would use every effort to get these men to become union men. Failing in that, possibly they would prefer to get somebody favourable to unionism to work in their stead.

Q. They would have it in their power to drive these men away if they wanted to ?—A. That is taking the extreme measure.

Q. I am putting the case of 40 men say at Ladysmith who could not be persuaded to join the union. Could the local union if they saw fit, take such measures as they chose to use, to drive the men out of the place?—A. I do not think they would resort to extreme measures. I do not think their views would be approved either, if they went on strike in such a case. I know of no strike under such conditions. It is only where union labour is displaced on account of the employment of non-union labour.

Q. You might tell us the exact power of the central authority over the local union?—A. I do not know of anything more that I can give. They simply have the power of enforcing the constitution. When that is being violated by a local it is their duty to see to that.

Q. Has the local union power to go out on strike without the consent of the central authority?—A. No, they get no assistance.

Q. They have power to initiate a strike ?—A. Yes.

Q. The strike must be ratified by the executive board before they can get any funds?—A. There is a saving clause in regard to that—in case of violation of any of the fixed principles, and there is no time to communicate with the executive body.

Q. The executive has no power to order a union out on strike against the wishes of the union?—A. No, no power that I know of.

Q. Have you ever known of a case where the central authority has refused to sanction a strike ?—A. Well, I have, for the time being. The strike finally occurred The strike at Rossland was brought before the first convention I attended. It was not brought about at that time, but evidently they got the consent of the executive later on.

Q. Then the executive has refused to sanction a strike ?—A. They did in that instance I know. I have only been on this executive committee for two sessions.

Q. What is the general attitude of the executive towards strikes?—A. They deplore them. They look on them as the last resort. If any other means can be adopted with consistency it is preferred.

Q. What attitude do they take towards arbitration ?—A. They approve of fair arbitration. They insist that the organization be fairly represented on that committee.

Q. What do you suggest would be their view of a law compelling arbitration so far as the general principle is concerned ?—A. So far as the general principle is concerned, I believe they would approve it. It would depend on how the third party would be arrived at.

Q. Who should the third party be—a judge?—A. In my opinion and in the opinion of the organization generally I think one fixed by mutual agreement of the two parties, if possible, or representatives of the two parties.

Q. In general would they approve of the intervention of the state in labour disputes?—A. It would depend on circumstances. If they thought the state hostile to organized labour they would not. Any time they felt they could get justice they would prefer to have it in that respect.

Q. Can you tell us, Mr. Baker, what you know about this Cumberland strike?—A. I simply got a wire saying they were out, and asking me to go up there.

Q. You had nothing to do with the initiation of that strike?—A. No, sir.

Q. The reason I asked is because if we could get some information of the cause of the strike it might not be necessary to go there?—A. I am satisfied I know the cause. They stated to me that practically all the officers of their union have been discharged from work. I saw these men in Nanaimo.

Q. I suppose the trouble is practically the same as here?—A. It is not exactly the same case. This trouble was on here before the men organized. These men have been gradually dismissed, one or two at a time, from what I can find out.

His Lordship.—Possibly it would be possible for counsel to agree on the causes of that strike, and keep us from going up there.

JAMES A. BAKER—Ladysmith, May 7.

Mr. Bodwell.—I won't know anything about that until Mr. Little gets back. He is up there now.

By His Lordship :

Q. I understand then that personally you are in favour of compulsory arbitration ?—A. I cannot say that I am on the broad ground. It would depend on how the third party is arrived at.

Q. Assuming the third party is arrived at by agreement ?—A. By agreement, yes.

Q. Or by a judge, if the parties refused to agree on a third party, would be satisfactory ?—A. Well, I find humanity pretty much the same. There is of course great difference between judges, but I find humanity pretty much the same—all after the almighty dollar.

Q. You find judges no exception ?—A. Well, I don't know——

Mr. Rowe.—I suppose you would not except even the preachers.

By Mr. Rowe :

Q. Do you think it should be possible to have an effective alien labour law ?—A. I think it should be.

Q. In the event of an effective alien labour law, a large portion of the need of an international federation would cease, would it not ?—A. It would be a great relief, anyway. At the same time it brings matters to this point, that if the principle of unionism is proper, then whenever you place a limit on it you destroy the first principle.

By His Lordship :

Q. How many international organizations are there that you know of ?—A. I do not know. I could get a list, I expect. Mr. King probably can post you better on that than I can.

By Mr. Rowe :

Q. You say the aim and object of the Western Federation is to arrange friendly relations between employers and employees ?—A. Most assuredly.

Q. You don't sympathize with the doctrine that there is no common ground of interest betweeen employers anad employees ?—A. Well, as long as we are working under this system I think there should be. In my opinion, if men do their duty under a contract system—an agreement to work for a wage under certain conditions—they are bound to do it to the best of their ability. When they do that I am satisfied an employer is better served than by any arbitrary method he may use.

Q. At the same time, you do not approve of the wages contract ?—A. No, candidly speaking, I do not. Unless you can get organization so perfected that you can make it universal, the competitive system under which we are living, where different employers are catering to the same market, and some by some means or other have an advantage over the others, one must economize, and the first place he looks is the income of his labour. If organization were universal so that all could be protected and put on the same level, there might be some abiding peace and unity.

Q. What I want to get at is the general influence of the doctrines taught by the Western Federation. It is not held or taught that when a man is working for wages he is being unnecessarily robbed ?—A. No.

Q. And you do not use the term 'wage slavery ?'—A. From an organization standpoint, no.

By His Lordship :

Q. What method would you sugggest for the settlement of labour disputes if the two parties could not agree upon a third arbitrator ?—A. It is a hard proposition. If

a man could solve this problem and advance it I think he will have done a great deal for the world. The best method I know of is perfect and universal organization, and perfect such a system that all employees be dealt with on lines of equality.

Q. I would like to get at something practical. I would like to know what practical suggestion you would make in the event of the third party not being agreed on?—A. I would like to have someone tell me that myself.

Q. Do you know the policy adopted in New Zealand?—A. Yes, it has resulted pretty fairly. But in New Zealand they have government by the people. In this country we have not. It is the people's vote, I am bound to admit, but not government by the people.

Q. As I understand the situation in New Zealand a judge of the Supreme Court is taken for third party. You think that not good enough for Canada?—A. I do not know as to that. I would want to know the individual.

Q. Suppose you determined the personality of the judge by lot?—A. It does not look to me that that would appeal much to our intelligence, to arrive at a point of justice by that means.

His Lordship.—Well, the judges are supposed to do justice.

Mr. Rowe.—I think that this matter is attracting public attention, and that the majority of the people want something to limit difficulties in the future.

Witness.—I think that is essential. I want to see their interest excited as much as possible, so that they will investigate and understand.

By His Lordship :

Q. We would like to hear some practical suggestion as to the settlement of these labour disputes?—A. I would be glad to hand it to you if I was able, and would be glad to receive it from any source.

Q. I think there is no doubt that parliament should take some action to stop these strikes?—A. They are disastrous to all parties concerned.

By Mr. Rowe :

Q. Assuming that machinery were satisfactory would you think it right to try and stop them without the initiative of either of the parties?—A. It is a question. I would not like to see a mandate issued that men shall not strike, but if conditions are running in a certain way for a good length of time, that the men could not go out on strike in demanding a higher rate of wages, and that the employers could not cut wages or extend the hours, without a notice being given before the change took place. I think that would be better than to say that men should not resort to a strike no matter what takes place.

Q. Could not the state bring into a dispute a power substituted for that of a strike or lockout, and under its influence bring about a settlement?—A. It seems to me that it ought to be done, if the true spirit of truth and honesty were applied at all times.

Q. You regard a strike as a state of warfare?—A. I do.

Q. Do you think it would be better under some circumstances to accept half a loaf instead of a whole loaf?—A. If you did not prejudice your position by so doing.

Q. Did I understand you to say yesterday that strikes do not accomplish their purpose?—A No, I don't think so.

By His Lordship :

Q. It is evident that after a strike has lasted for a certain time, and has reached certain conditions, that the state should take some means to stop it?—A. It seems to me if the state takes any stand it should be before the strike occurs. The state generally only knows of a strike after the men are out.

Q. Take this case. The public must have coal. There must come a time when that strike must be stopped and by the intervention of the state. Now, the only thing is, what machinery should be applied. I should not think it would be at all advisable for the state to interfere with every petty dispute, but where a strike reaches such dimensions as to seriously injure the public interest, then I think the state must interfere on the ground that the public is being damaged. Now, the question is, what kind of machinery are you going to provide?

(No answer.)

By Mr. Rowe :

Q. I understand you to say that such a plan as this should be adopted before a strike—that if the employees decide on a strike they must give certain notice, and the employers a like notice?—A. I said if the state did interfere. They should not wait until it reached a strike.

By His Lordship :

Q. The difficulty of that is that the state would be constantly interfering?—A. The possibility is that if it were so there would not be the necessity for so much interference.

Q. It seems to me we must provide for a case where a strike has reached proportions like the case here. Something must be done to stop it, and what measure would best meet the situation. I would like to hear from both sides as to that?—A. It is a question I am pondering on all the time, very deeply.

Q. You spoke of international organization of capital. Do you know of any such?—A. Yes, many of them.

Q. Is there any such organization among coal mine owners?—A. Yes, sir.

Q. Does it include Canadian mines?—A. Yes, sir.

Q. Do you know anything about the constitution or controlling centres, or methods of that organization?—A. The organization I had in mind is the Crow's Nest Pass Coal Company. Its general offices are in Toronto, the directors are there. The workings of the corporation are largely controlled by the Great Northern Railway Company.

Q. That is not exactly what I mean. I mean cases where a number of owners of mines organize an owners' association—an international employers' association?—A. I cannot give statistics, but I have encountered them. We had trouble up in the Slocan country in 1898 and 1899, when they were importing non-union men from Minnesota, they co-operated right through, the officers of both nations. They were brought to the United States boundary line and the Canadian officials received them there. This was all arranged at that time, I believe, on the best authority through a mine owners' association.

Q. Do you know, as a matter of fact that the United States and Canadian officials co-operated in that manner?—A. No, not directly, but I had it direct from men engaged in that struggle.

(Commission adjourned to meet at Extension.)

EXTENSION, May 8, 1903.

JONATHAN BRAMLEY, sworn:

By His Lordship :

Q. Where do you live, Mr. Bramley?—A. In Extension.

Q. How long have you lived here?—A. Since 1884.

Q. Ever buy any property in this neighbourhood?—A. Yes, 200 acres of land.

Q. Who from?—A. From the E. & N. Railway Company.

Q. When?—A. I forget just exactly when—in the fall or spring of 1883 or 1884.

Q. Have you any documents to show ?—A. Yes, sir, I have them home.

Q. Can you get them?—A. Yes, sir.

(Documents sent for).

Q. What did you pay for the land?—A. $1.00 an acre.

Q. Part down, and part on time?—A. No, all at once, $200 cash.

Q. To whom?—A. Mr. Shaw was the agent who took the money. I paid the money in Nanaimo.

Q. Have you sold any of the land?—A. About 16 acres I think.

Q. What size are the lots?—A. They are not all exactly a size. The price was $100 a lot, except one that we sold to Mr. Skedenson, I think we got $150 for that.

Q. Were they sold according to a plan?—A. Yes.

Q. Was the plan registered?—A. Yes, at Victoria.

Q. They were sold on time, I suppose?—A. No, we got cash for all the lots we sold.

Q. Have any of these lots been built upon?—A. Yes, most of them.

Q. What do you mean by most?—A. I know of only two that were not built on.

Q. Have you ever had any difficulty with the railway company over the title ?—A. No, not about the title.

Q. Have you had any difficulty about any other matter in connection with the mines ?—A. We have had trouble about putting up the fence, and about making a road across. I could not get here this morning without climbing the fence, and I am too old for that.

Q. What is the exact trouble between you and the railway company?—A. They have shut me out of a road.

Q. They built the fence on their own land?—A. Yes, on the land they measured off to buy.

Q. It is built partly on land which you still own?—A. No, not exactly, I suppose the land is still mine in the eyes of the law. I agreed to sell them 50 acres at $10 an acre.

Q. For coal mining purposes ?—A. For railway purposes and colliery purposes.

Q. Have you a copy of that document?—A. It is a verbal agreement. They came to pay for it, but they blocked the road up. I would not sign any land away until I had a road across. I made this bargain with Mr. James Dunsmuir about 3 years ago.

Q. You agreed to sell him 50 acres of your land for coal and colliery purposes at $10 an acre?—A. Yes.

Q. Was there an agreement to give you a roadway?—A. A verbal agreement, I took his word.

Q. A road from where?—A. From one side of the track to the other.

Q. That would include a bridge over the tracks?—A. Yes, it was talked of having a bridge over the tracks.

Q. A road was to be made across the property over the tracks?—A. Yes, we agreed to that verbally.

Q. Was the place of the road agreed upon?—A. No, not particularly. We talked about it. They would not have a bridge through and we agreed to give the $500 we were going to get for the land to try and have a bridge across.

Q. Was the exact position of the road agreed upon?—A. Yes, we put a good long track to it from the other side.

By Mr. Rowe :

Q. Is there any place where your property bought from you stretches from fence to fence?—A. We have property on both sides of the fence. The property inside the fence was originally my property, except this part on this side of the fence.

By His Lordship :

Q. There is 50 acres of the land inside the fence which originally belonged to you?—A. Yes.

Q. What about the surface rights; did Mr. Dunsmuir get the surface rights by the agreement?—A. Well, he gets the land complete. He gets all rights to it.

Q. Has there been any understanding between you and the railway company about the town site here?—A. No, sir.

Q. When was coal first taken out of here?—A. I think 5 years ago the first of November.

Q. At what time was the population the largest here?—A. I think about a year and a half since.

Q. How many people would you estimate were living here?—A. I could not tell I am sure, there must have been 1,000 people, men, women and children.

Q. How many people are there living here now?—A. I do not know the exact number.

Q. Can you give an estimate?—A. I could not give it to you now. I could furnish you with a list of the occupied houses in a day or two.

Q. Could you give us that next week?—A. I can give it to you to-morrow.

Q. You could come down, say next Thursday, to Ladysmith?—A. All right, sir.

Q. Could you give us a list of the houses pulled down?—A. Yes, and those empty, and the number of people as nearly as I can estimate it.

Q. When was this building (the school house) put up?—A. Upwards of two years ago.

Q. Did you have anything to do with the putting up of this building?—A. No, sir.

Q. When was the other school house built?—A. That must have been nearly a couple of years.

Q. What school house do you call that?—A. The government school house, I guess it was built about 4 years ago.

Q. How do the children get there?—A. They climb over the fence, or go around by the railway, a good mile around.

Q. When was this fence built?—A. I think it was something near a year since.

Q. What is your business here now, farming?—A. A bit of ranching, sir.

Q. You have no buildings that you rent here?—A. No, sir.

Q. You rent lands?—A. Yes, sir.

Q. You have not built any yourself?—A. No. We have had a few cabins to buy. We bought a few cabins of people who could not pay, and wanted to get away.

Q. Were these cabins on land sold by you?—A. We don't sell the land with the cabins on them.

Q. They have been empty most of them? How long?—A. Six or seven months.

Q. What arrangement had you about the lands these cabins were built on?—A. They were to pay $1 per month ground rent. The land was leased to them. But when the men were on strike and had to go away we charged 50 cents a month instead of $1.00.

By Mr. Bodwell :

Q. I understand Mr. Dunsmuir wanted to buy the whole property?—A. I did not say that. He did make me an offer, it was $5,000 for the whole business.

Q. You did not want to sell?—A. Not for $5,000.

Q. Did you make a proposition to him?—A. I did. There were 200 acres of land, and he was to have 100 acres for nothing, and he should give us half what the others were worth. He was to sell the others at $100 a lot and give us half of it.

Q. And then he was to divide the other 100 acres into lots and give you half?—A. Yes, and sell them at $100 a lot.

Q. He was to give you $100 a lot?—A. No, he was to give us $50 a lot. He would give us half of $100, and he was to get $50 a lot.

Q. You did not make him any offer to sell out altogether?—A. That was to sell out altogether.

Q. He would have to divide it into lots and sell the land?—A. Yes, and he could have made 300 per cent out of it.

Q. When was this offer made?—A. About 3 or 4 years ago, but there were buildings on it, and gardens are worth something.

Q. Your offer involved making this the town site?—A. He could make it what he liked. It is the only place to make a town, for work.

Q. And four years ago Mr. Dunsmuir would not accept an offer from you which involved making this the town site?—A. I could not give you the exact date.

Q. You knew that he intended to make the town at Ladysmith?—A. I must not say I knew. Men were told they could live where they liked. I never asked him. The only conversation I had with him was when he refused my offer.

By Mr. Rowe :

Q. Do I understand you to say that Mr. Dunsmuir would not take the offer? That he would make the town at Ladysmith?—A. Yes.

By Mr. Bodwell :

Q. I suppose the subject was talked about a good deal?—A. Certainly. One man said, I would give $200 if they would let me stay here.

Q. I suppose you used to tell them about your conversation with Mr. Dunsmuir?—A. Well, I never told them as far as what offer he had made, and I told the men if you build here and have to go away you can take your house with you.

Q. You told them if they did have to go they could take their house with them?—A. Yes.

By His Lordship :

Q. Can you show us on the plan where we are now ?

(Plan produced and examined by witness and Commissioners).

Q. These houses were here before the plan was made?—A. Yes.

Q. Some of them are on the road allowance?—A. Well, yes.

Q. These people built houses on land they bought from you?—A. Yes.

By Mr. Rowe :

Q. How many lots did you make?—A. A good many, I could not tell you.

By His Lordship :

Q. You owned these lots here, and what you wanted was the road?—A. Yes.

Q. Was it not an extraordinary thing to get up a plan in this shape when houses were built on the road? How were they to get title?—A. They were to be moved.

Q. You expected these people were going to remove their houses, and you would pay part of the expense?—A. Yes, I paid $20 for one moving.

By Mr. Rowe :

Q. It is around here (indicating on plan) where the children go to school?—A. Yes.

His LORDSHIP.—I am afraid that would have been a very good harvest for the lawyers if it had ever come to anything. There are fully a third of the houses built on the road allowance, according to the plan.

Mr. BODWELL.—I believe your Lordship knows the form of the original deed, reserving the minerals, and that all he had to sell were the surface rights.

Q. You got the usual form of deed from the E. & N. Railway Company?—A. Yes, certainly.

Q. You just had the surface rights?—A. Yes. I think the man who made the deed ought to be ashamed of it. I come from a country where deed were deeds.

His LORDSHIP.—All I can say is if you had sold land according to that plan you would have had a hornet's nest around your ears. There are at least 30 houses shown on the road.

Q. We would like to have these statistics from you on Thursday, Mr. Bramley?—A. Yes, sir, I will bring them down.

THOMAS ISHERWOOD, sworn:

By Mr. Wilson :

Q. You live here, Mr. Isherwood?—A. Yes, sir.

Q. You work in the mines?—A. Yes.

Q. Were you working in the mines at the time of cessation of work?—A. No, I have not been working for some time, I have been sick.

Q. Did you ever live at Ladysmith?—A. No, sir.

Q. Anything ever said to you by any of the officials—by the mining company—relative to your living at Ladysmith?—A. Yes, they told me to go to Ladysmith or quit.

By His Lordship :

Q. Who told you?—A. Dave Wilson.

Q. Who is he?—A. One of the bosses, I suppose.

Q. Was he in authority over you?—A. Yes, one of the bosses in the mines.

Q. The mine boss told you to go to Ladysmith or quit?—A. Yes.

Q. When did he tell you?—A. In February, I do not know the date. This last February. I commenced the first day then, after being idle about 6 months, on and off.

Q. This was the first day you had gone to work?—A. Yes.

Q. Did you ask him why you had to go to Ladysmith?—A. I asked him if they all had to go, and he said, yes, everybody.

Q. What did you say?—A. I didn't say much.

Q. Did you tell him what you would do?—A. No.

Q. What did you do?—A. I quit.

Q. What have you been doing since?—A. Nothing.

Q. Why did you quit?—A. Because I was not any way prepared to go to Ladysmith.

Q. Are you a married man?—A. Yes, sir.

Q. You could not afford to go to Ladysmith?—A. No, sir.

Q. How many children have you?—A. Five.

Q. Did the company make any effort to assist you to go to Ladysmith?—A. No, sir, I never asked them.

Q. How do you live now?—A. I live as well as I can.

Q. What means of livelihood have you ?—A. I have no means coming in. I have nothing. Make odd bits knocking around.

Q. You work occasionally?—A. I cannot work. The wife works a little.

Q. You are unable to work?—A. I am able now, but I was not before.

Q. Did you buy the place where you are living?—A. Yes.

Q. From whom ?—A. From a fellow named Dickison.

Q. Have you paid for it?—A. No.

Q. How much have you paid down?—A. Am I supposed to tell how much? I don't think I am compelled to tell. I am not paying much because it is not worth much.

Q. What objection have you got to telling how much you have paid?—A. Well, I paid $28 on it.

Q. How much have you agreed to give for it?—A. $40.

Q. Did you sign an agreement to that effect?—A. Yes.

By Mr. Bodwell :

Q. Who did Dickison buy from ?—A. I don't know.

Q. Where is he now?—A. In Nanaimo.

Q. You knew there was a standing offer on the part of the company to move all the men down without expense?—A. Yes, they would give you transportation. You had to take the house down yourself. You would put it on the train and they would take it down on the train.

Q. How big is your house ?—A. Only a two-room bedroom house, built of straight up boards.

Q. How long would it take a good man to take it down?—A. In a day probably.

Q. Put it up in a day?—A. No, about three days to put it up.

Q. You did not ask the company to allow your time while you were taking it down and putting it up?—A. I asked them nothing. I thought I had a right to live where I liked. That was the reason I did not ask any of these things.

Q. You could buy a lot from the company at Ladysmith and pay for it on easy terms?—A. I don't know about the terms.

Q. How long had you been sick?—A. Between 6 and 7 months.

Q. And you have not been very well since ?—A. I am just getting well now.

Q. So you were not very anxious to get to work at that time?—A. No.

Q. You would like to go to work now ?—A. Yes, I am ready for work.

Q. Have you applied for work?—A. No, the work has stopped.

Q. I mean before the strike?—A. I never asked since they told me to go to Ladysmith; never bothered them.

JOHN MOCHAR, sworn :

By Mr. Wilson :

Q. You live here, Mr. Mochar?—A. Yes.

Q. Working here in the mines?—A. I have been working in the mines.

Q. Did you ever live at Ladysmith?—A. Yes, I was down there for a few days.

Q. Anything said to you about moving from here there?—A. Yes. In last September the pit boss, Mr. Sharp, said: 'Now, its Ladysmith or nothing.' I said

'what do you mean ?' He said I would have to go down or there would be no more work.

Q. What did you do?—A. I quit.

Q. That was in September last?—A. Yes.

Q. Did you quit before you were obliged to, or was there no alternative?—A. Well, I suppose because I was obliged to. I built a house at No. 1 and I built a house here. The house was not quite finished. No. 1 is about two miles below. Then I built another one here.

By His Lordship :

Q. How much did you put into it—the one here?—A. Not very much, about $100.

By Mr. Wilson :

Q. Did you use your own labour?—A. Yes.

By His Lordship :

Q. Did you buy the ground?—A. No, I paid ground rent.

By Mr. Rowe :

Q. I suppose the $100 is cash, exclusive of labour?—A. Yes.

By Mr. Wilson :

Q. That would be the cost of material?—A. Yes. I built it in my spare hours. I had a man to give me a hand. I paid him about $15 or $16.

Q. How many days did you put in on it yourself?—A. About two weeks.

Q. Anything said about the company assisting you to move your house down to Ladysmith?—A. No, not to move the house.

By His Lordship :

Q. Did the company offer to take the house down?—A. I did not ask that.

By Mr. Rowe :

Q. When was it you built you house here?—A. In May last, May a year ago.

By His Lordship :

Q. Are you married?—Yes.

Q. Any children?—A. I have two, one died a couple of days ago.

By Mr. Rowe :

Q. At the time you were building your house was anything said about suggesting you would have to move it?—A. Yes, I said I had not finished yet, and I could not move yet.

By His Lordship :

Q. When you built the house here did any person belonging to the company tell you you were taking chances on being moved to Ladysmith?—A. I don't think so.

Q. Nobody told you there was a likelihood of your going to Ladysmith ?—A. No.

Q. Ever hear anything of that when you were building the house, or before?—A. No, I did not hear anything. I was looking for a house to rent, and every house was filled. No one had to move, and I started to build, and after I commenced to build it was talked about moving down.

Q. What nationality are you ?—A. Austrian.

By Mr. Rowe :

Q. You say the town was so filled that you could not rent a house?—A. Yes, the town was so filled in April a year ago, when I came I could not rent a house.

By Mr. Bodwell :

Q. Is there much sickness here?—A. I do not think there has been very much.

Q. The last man who gave evidence was sick, and your child has died?—A. That is all I know. I do not know of anybody else.

By His Lordship :

Q. Have you a graveyard here?—A. No.

By Mr. Bodwell :

Q. You lived over at No. 1?—A. No, here. At first I was at No. 1.

Q. When did you come to live at No. 1?—A. Four years next fall.

Q. When they were through at No. 1 you moved down here?—A. Yes, I brought my house over myself.

Q. And that was the same house you rebuilt here?—A. A part of it.

Q. And while you were building you were told you might have to go to Ladysmith?—A. After, I believe.

Q. Was it not talked around here that they were going to move down to Ladysmith?—A. I heard something about it after I built.

Q. Before you built—while you were building—didn't you hear this talk?—A.—No.

Q. You didn't hear that talk—you must have?—A. Yes, after I built the house.

Q. No, while you were building the house—didn't you hear that talk around while you were building?—A. No.

His Lordship.—Assuming that this is so, why have they not the right to live as they like?

Mr. Bodwell.—Why have we not the same right to employ whom we like?

His Lordship.—Would an employer have a right to say he would not employ a man who wore a top hat on Sunday?

Mr. Bodwell.—I suppose he would if he paid the man.

His Lordship.—On the ground of abstract right he might have, but it remains to be shown that he would be right in exercising it. It seems to me, Mr. Bodwell, that there is a very heavy onus on you to show that these men have been fairly dealt with.

Mr. Bodwell.—We have an explanation of all these things which I think will be satisfactory. If the question is going to be on ground of abstract right, there are mutual rights.

Q. What I want to know is whether this man did not know at the time that this was likely to be the order—to go to Ladysmith?—A. I say that I did not hear anything talked around. Of course if I had I would not have left.

Q. When you heard that talked around, did you go to any man in the company and ask them whether that was going to be so?—A. No, I just went ahead.

Q. You knew the company would move you down to Ladysmith if you wanted them to?—A. Yes, I knew that; I have seen them do it with others.

Q. And you did not ask to have anything of the kind done?—A. No.

Q. You didn't ask to have this money paid back to you—that you had spent?—A. No, I didn't ask for any of these things. I did not know whether it would have been refused or not.

By Mr. Rowe :

Q. Did the company offer to move your house down from No. 1?—No, they did not.

By Mr. Wilson :

Q. When you heard this talk about moving to Ladysmith did it impress you as more than idle rumour—you did not imagine that any man would force his men to go down, would you?—A. No.

By His Lordship :

Q. Were any of the houses moved from No. 1 down by the company?—A. None that I know of.

Mr. Bodwell.—We will prove that we moved houses down from No. 1 when that was wanted. We will call our officials on our side to prove that, if the other side do not give the evidence.

Jacob Myllymaki, sworn :

By His Lordship :

Q. What is your nationality ?—A. I am a Finlander.

By Mr. Wilson :

Q. Do you work in the mines here?—A. I did, but not now.
Q. Where did you work here?—A. I worked at the tunnel.
Q. How long did you work there?—A. For two years.
Q. Do you live here?—A. Yes.
Q. Ever live in Ladysmith?—A. No.
Q. Anything said to you about moving to Ladysmith?—A. Not yet.
Q. Did the officials say anything to you about moving to Ladysmith?—A. No, I stayed here until some person came to me and said 'You have to go to Ladysmith.'

By His Lordship :

Q. How did you come to quit work?—A. I got a very bad place. I struck rock—pretty near all rock.

Mr. Rowe.—That is an indirect way of telling him to go to Ladysmith.

By His Lordship :

Q. Then things were being made rocky for you?—A. Yes.

By Mr. Bodwell :

Q. You are working on a farm now?—A. Yes, I left two or three times to go to the mines.
Q. You do not like to work where the rock is?—A. No, I have lots of work outside I would rather work on. I get just as much for outside rock as inside rock, and I would as soon work outside when it comes to rock.
Q. No one suggested to you to go to Ladysmith?—A. No.

By His Lordship :

Q. Did you ever hear about it?—A. Yes, I heard all right, but I did not want to go. I like this place.

JOSEPH FONTANA, sworn :

By His Lordship :

Q. What are you—an Italian?—A. Yes, sir.

By Mr. Wilson :

Q. Where do you live, Mr. Fontana?—A. Right here, in Extension.

Q. Have you been working in Extension mines?—A. Yes.

Q. Up till when?—A. Until the strike came on.

Q. Was anything ever said about quitting your residence here and going to Ladysmith?—A. Yes, sir.

Q. What was said to you?—A. I was asked in the first place if I was willing to go to Ladysmith.

Q. Asked by whom?—A. The superintendent, Andrew Bryden and Mr. Sharp.

Q. When?—A. I could not tell you, it was quite a while before we had to go down.

Q. A year ago?—A. No, I should think about a couple of months before we had to go down to Ladysmith.

Q. That would be in July or August?—A. Sometime then.

Q. You were asked if you would like to go down—what did you say?—A. I told them I would rather live where I was close to the work, than to be 12 or 14 miles from the work.

Q. What did he say?—A. He said he could see no difference to live in Extension than in Ladysmith, and I says to Mr. Bryden: 'It may be so for you, Mr. Bryden, but it is not for the miners.' In the town they would always be around the mines until 4 and 5 o'clock. If they would have to go down to Ladysmith they would have to leave on the same train as the miners. They would be working shorter time.

By His Lordship :

Q. Have you a family?—A. Yes, I am married and have two children.

Q. You would be that much longer away from your family if you had to go to Ladysmith?—A. If I had to go to Ladysmith and had no money to move my house that would be worse between me and the missus. I would simply think that I was single again by that.

Q. You would have to leave your family here?—A. Yes, sir.

Q. What was the conclusion reached between Mr. Bryden and you?—A. I said that if they would force me to go that I had to go, because I was not in a position to support my family by not working, but that I should be forced before I would go down.

Q. What did he say to that?—A. There never was a thing said any more.

Q. Did you quit work?—A. No, I did not quit work.

Q. How long did you work after that?—A. I should think a couple of months, until I was told to go down to Ladysmith; that if on Monday morning I would not be on the Ladysmith train, or at least get off the train, I could not go to work any more. It was repeated to me again before the boss left the place. That was the second time I was told.

Q. The second time who told you?—A. Mr. Sharp.

Q. Who is he?—A. The mine boss.

Q. Then you quit work?—A. No, sir, I could not get away from work. I had to work to make a living. I moved to Ladysmith myself. I took a divorce from my wife for a long time.

Q. Do you ever see your family here?—A. Yes, sir.

Q. When do you visit them?—A. Whenever I have a chance.

Q. They are still living here?—A. Yes, and so am I at the present time.

By Mr. Rowe :

Q. When you were working what time did you get here in the morning?—A. I got here at 6.30 in the morning.

Q. What time were you off at night?—A. I worked till 3 o'clock.

Q. What time did the train leave for Ladysmith?—A. Half past 3.

Q. When could you see your family then?—A. I would see my family after I came out, from 3 until half-past 3. I am not far away. I take a run over. Sometimes if I was hungry I would have a piece of pie.

Q. Well, do you mean to say you would get nothing to eat between 6.30 and 3 o'clock?—A. In Ladysmith I have to have my breakfast at 5 o'clock in the morning, and by the time that I get up to the mines I am ready for another meal because I could not have my appetite so early in the morning.

Q. Was there a later train than 3.30?—A. Yes, sir.

Q. What time did it leave?—A. Somewhere about six o'clock.

By His Lordship :

Q. You could take that train, could you?—A. Yes, I did a couple of times.

By Mr. Rowe :

Q. What time does it get to Ladysmith?—A. About 6.30 I think.

Q. Does that train leave every working day?—A. So long as the men worked, I believe it did.

By Mr. Wilson :

Q. What time did you leave your house in the morning when you lived at Extension?—A. Five or ten minutes to 7.

Q. What time would you take to get back from work?—A. About the same length of time. If I ran it would take me five minutes, if I went slow about ten minutes.

Q. When you lived in Ladysmith you left what time?—A. About 5.30, and got back about 4.30.

By Mr. Bodwell :

Q. But the men go to work at 20 minutes to 7. How could you leave for work at 10 minutes to 7?—A. We are supposed to go in the mines at 3 o'clock and in the morning at 7 o'clock.

Q. They start down at 20 minutes to 7. Don't they start at their work at 7—at the face at 7?—A. No, sir, that is the tunnel, I worked in No. 3.

Q. When you were living at Extension you worked at the tunnel?—A. Yes, and in No. 3.

Q. Where is No. 3?—A. A couple of miles I think, I used to live close to it.

Q. I am talking about the time you lived at Extension—you must start from the pit's mouth at 20 minutes to 7?—A. Yes.

Q. You could not stay in your house until 10 minutes to 7. You leave Ladysmith now at 6 o'clock?—A. Yes.

Q. And you get here at half-past six?—A. Yes.

Q. So you are ten minutes ahead of time?—A. What do you say?

Q. Why did you not take your wife down to Ladysmith?—A. I could not afford it.

Q. Could you not have taken your house down?—A. No, I had no house my own at the time.

Q. Could you not have rented a house at Ladysmith?—A. No.

Q. No houses at all?—A. No, I could not find a house to rent.

Q. You did not try to get a house?—A. Yes, I did.

Q. What did you do; who did you see?—A. I tried to get a place to go and board.

Q. What did you do towards trying to get a house at Ladysmith?—A. I tried all over and I could not get a house—not to rent.

Q. Who did you go and see?—A. I went to see whether I could not see a notice put up about houses for rent.

Q. Did you ask anybody about it?—A. Yes, I asked some of my friends.

Q. Did you go to Mr. Bryden and ask him about it?—A. No, sir.

Q. Why not ?—A. I thought that he was not a man who had houses for rent.

His Lordship.—Not a real estate agent ?

By Mr. Bodwell :

Q. He told you to go to Ladysmith ?—A. Yes, sir.
Q. Would it not be a reasonable thing to ask him about it ?—A. No, sir.
Q. Now, as a matter of fact, you preferred to leave your family here than to move to Ladysmith ?—A. Yes, sir.

Mr. Wilson.—I don't think he understands that question.

Q. Do you prefer to live here, with your wife and family or without them ?—A. I prefer to live with my wife.

By Mr. Bodwell :

Rather than live in Ladysmith you would rather leave your wife here ?
(No answer.)

By His Lordship :

Q. If the company had moved down your effects and given you free transportation, would you go to Ladysmith ?—A. I could not afford to build a house.
Q. If you could rent a house in Ladysmith, would you object to go ?—A. Well, I could not tell you.

By Mr. Bodwell :

Q. Rent is cheaper here, is it not ? How much rent do you pay here ?—A. I do not pay any rent.
Q. You get a house free here ?—A. Yes, sir.
Q. Who owns the house ?—A. A brother-in-law of mine.
Q. And he lets you live in it without rent ?—A. Yes, I was not able to work——
Q. You do not pay any rent here at all ?—A. No.
Q. That is cheaper than if you rented a house in Ladysmith ?—A. How do you mean ?

By His Lordship :

Q. You get a house free from your brother-in-law ?—A. Yes, sir.

Louis Astori, sworn :

By Mr. Wilson :

Q. You live here, Mr. Astori ?—A. Yes, sir.
Q. Are you a married man ?—A. Yes.
Q. Any children ?—A. Yes, I have six children.
Q. Did you work in the mines ?—A. Yes, sir.
Q. Anything said to you about removing from here to Ladysmith ?—A. Yes, sir. The first time was in June. I finished my place, and I asked the boss to get a place for me. He says, not for the present time. He says, you come and see me again. I asked if I would have to move to Ladysmith to get a place. He says, it makes no difference, Ladysmith men or Extension.
Q. Who said this ?—A. The pit boss, Mr. Sharp. He said to me, it didn't make any difference between Extension men or Ladysmith men. I came two or three days after to the office and asked if he had a place for me. He says, I cannot take any more

men on, you will have to see Andy O'Brien. I saw him and he said, 'everybody said you will have to go down.' I told him 'before I come down you had best give me my time.' He did, and I came away. I went up to Union to work about a couple of months. I found it no good to work there, and leave my family here, and I came down. I went to see O'Brien, and he asked me where I lived, and I said in Extension. He says 'No need to come and ask for a job if you live at Extension. You know all right that you have to move down,' and I told him I had to take my family and had no money to move, that I could not move down. He says, 'Do what the other fellows are doing.' I asked what was that. He said, 'You can leave the family here and go and board down there.' I came down and saw him again for a place. I was there for several days, and at the station he said, 'Have you got no work yet?' I said, 'There is none.' He says, 'Go to the pit-boss and ask him for work.' I saw Mr. Sharp, and he gave me a place. This was in September. I worked about fifteen days. He came around to my place and asked me where I lived. I told him Extension. He says, I have an order that the men who do not come up on the train do not need to work. The first of the month I went to see about 'batching,' and looked to see if I could get a place. After a while I started 'batching' and sometimes I stayed here and sometimes came down there.

By His Lordship :

Q. Your family is still here?—A. Yes, sir.

Q. Why do you object to going to Ladysmith?—A. I think for my part that it is worse to live at Ladysmith than what I do here. For myself it is better for my health.

Q. When you said you lived partly up there and party here, you mean you slept here—that you stayed with your family—was there any trouble about that?—A. I had to watch out anyway.

Q. You had to watch out when you stayed here?—A. When I came down in the morning to work. I didn't want anybody to see me not getting off the train.

Q. You mean you circulated through the men on Monday morning, so as to make believe you were on the train, but in the meantime you were up here most of Sunday?—A. Most of the time I was up here.

Q. Then you needed all the eyes you have got?—A. Yes. When it was dark I had to put my light out.

Q. So that they would not see which direction you were travelling in?—A. Yes.

By Mr. Bodwell :

Q. Where is your house here?—A. About two minutes from the tunnel.

Q. Did you buy the lot?—A. No, sir.

Q. Buy a house?—A. Built a house.

Q. Whose lot is it?—A. I got it from Mr. Bramley.

Q. You mean you didn't pay for it?—A. I pay $1.00 a month, ground rent. It cost me about $250 to build.

Q. What does it cost for a house in Ladysmith?—A. I did not try to find out.

Q. Can you get a lot for $100 in Ladysmith?—A. I heard that.

Q. You can pay that $100, $1 a month?—A. I do not know. I heard the men had to pay $25 first, and the rest in 18 months. Now I hear if the men could not pay at the end of the 18 months, they would lose the house and lot. That was what I heard.

Q. You never asked anything about that from the company?—A. No. I did not want to live at Ladysmith anyway. I would rather go batching.

Q. Maybe you might quit and then go away, and so have to leave your lot at Ladysmith. You left here and went to Union?—A. Yes, I was there for two months.

Q. And you might leave and go to work some place else?—A. I might. Maybe if nobody says anything I can live at Extension.

Q. And Mr. Bryden was willing to let you have work?—A. Yes.

Q. And then you got orders to go to Ladysmith?—A. Yes.

Q. They would move your house down for you ?—A. I would have to put the house on the train and put it up.

Q. You built your house ?—A. I cannot build a house myself. Someone helped me. It cost me about $30 for the man, or maybe $50, about that.

Mr. WILSON.—I do not think I will call any more evidence in this direction. It seems to me that is enough, without amplifying it.

His LORDSHIP.—Quite enough, I think. Is there anything else you want to take up here ?

Mr. WILSON.—I would like to have heard a little more about this bridge, and what was said about it.

His LORDSHIP.—Apparently it was mere talk. Nothing in writing. It would not amount to anything.

(Adjourned.)

VICTORIA, May 11, 1903.

(Opening Session, 11 a.m.)

His LORDSHIP.—The Commission would like to hear the evidence of any person having any material evidence to give relating to the causes of these strikes, and any suggestions as to their remedy. We would like to hear from unions and employers of union labour, and in addition we would like very much to hear from that class of men who do not belong to any union, as well as that class of employer who is not favourably disposed to the employment of union men, but prefers to employ non-union men. I am well aware that there is a great repugnance on the part of non-union men and non-union employers to come forward and give evidence, but of course all sides of this question should be brought before this tribunal, and I hope that people who have honest views about these matters will come forward willingly and give us the benefit of them. If there is anything that the non-union men or the non-union employers could suggest that would prevent anything in the shape of boycotting or intimidation, we should be glad to hear any suggestion from them. What I propose to do on my part is to secure a clear hearing of these questions from all points of view.

Mr. BODWELL.—I might say that I expect to have some evidence of that kind here by to-morrow. I know there is a considerable amount of evidence on that question, if it can be had. People are not exactly afraid to give evidence, but are doubtful of the expediency of coming forward and making their statements. They are afraid that some indirect injury to their business might arise.

His LORDSHIP.—There is no object in holding the Commission unless evidence of that kind is forthcoming. We know there is a great difference of opinion concerning these matters.

Mr. BODWELL.—I think the only way to take that evidence is to send out subpœnas to people whom the Commission think are likely to give information.

His LORDSHIP.—You had better hand me a list of people who you think will give evidence, and they will be brought here.

LOUIS ASTORI—Ladysmith, May 8.

Mr. BODWELL.—There you see I will get myself into difficulty. I suppose the Commission understand thoroughly that in my position as counsel I only represent the Wellington Colliery Company in reference to matters concerning that company, but I am willing to do anything I can to assist the Commission. As counsel, my instructions are limited, and that is why I think the Dominion of Canada should be represented on this Commission by some one to assist the men, occupying relatively the position that the Attorney-General could occupy in a public inquiry. If I go outside the limits of my instructions, I may be censured for doing so, whereas if the Government were represented by some one who really acts for the whole it would be much better for the work of the Commission, and would take the responsibility off me which ought not to be put upon my shoulders. I am quite satisfied that if there were some one here in that capacity they could easily enough get the information, and that they would be able to bring a lot of evidence before the Commission.

His LORDSHIP.—If we had counsel here for the Dominion Government he would feel that he had to hold a brief for non-union people, and the government might have reason to believe that the union people might suppose that the government was ranged against them.

Mr. BODWELL.—I think not. He would be in the position of an impartial searcher after the truth. He would be able to subpœna any one, whether union or non-union, from whom he thought he would be able to get information valuable to the Commission. I do not see why he should be considered the representative of any class. He would occupy a public position, in the interests of the public generally. I am quite certain these people will not come voluntarily—I am sure they won't. Personally I do not feel that my instructions would justify me in giving the Commission any information of that kind that is official.

His LORDSHIP.—I suppose everybody understands that any suggestions can be made to the Commission through the Secretary, and if any person has information that any one could give material evidence, all he has to do is suggest the names to the Secretary of the Commission, and they will pass on the advisability of having that person summoned. If the general public would aid us to that extent it would materially assist.

Mr. BODWELL.—I think I could get plenty of information, if I had no retainer here, but I do not know how far my retainer permits me to go. I am troubled about the limits of my retainer in that respect.

His LORDSHIP.—Of course we don't want the time of the Commission taken up with theory. We want people who can give material evidence.

Mr. BODWELL.—Yes, the facts are what you want to get.

His LORDSHIP.—Is there any one prepared to give evidence now?

Mr. BODWELL.—There is one witness we will perhaps be able to bring in a minute or two. To-morrow I expect to have witnesses who will give useful information.

Mr. ROWE.—With relation to this Ladysmith strike?

Mr. BODWELL.—Their evidence will relate to the workings of coal mines generally, not to the particular interests of this strike, but on the question generally.

His LORDSHIP.—How long before this witness will be here?

Mr. BODWELL.—I expect them over to-night on the steamer.

His LORDSHIP.—I thought you said you had some witness here.

Mr. BODWELL.—We will know in five minutes whether he can come or not.

WILLIAM WILSON, sworn :

By His Lordship :

Q. How long have you lived in Victoria ?—A. Since 1864.

Q. Have you been engaged in business since then?—A. Yes, ever since, in the plumbing and tinsmithing business.

Q. Have you ever employed what is called union labour in your business ?—A. I have not.

Q. How many people do you employ now ?—A. About eight hands altogether.

Q. That is outside of yourself ?—A. Yes.

Q. None of whom are members of any union as far as you know ?—A. No, none of them are members of any union that I am aware of.

Q. Some of these hands are relatives or members of your own family, are they not ?—A. Yes, there are six, practically, of my family, and my brothers.

Q. Have you ever had any difficulty of any kind with any union ?—A. Yes, on one occasion. Some years ago one of our hands that we employed left us and joined the union.

Q. When was this ?—A. A number of years ago. I can hardly recollect—probably seven or eight years ago. There was pressure brought to bear upon him by what they call the Tinsmiths' Union, and he left our employ.

Q. Did you tell him that would mean discharge ?—A. I did not tell him so. He left of his own accord.

Q. Would you have allowed him to remain after joining the union ?—A. Well, I might state that our shop is a non-union shop, that we do not recognize any of these unions.

Q. You prefer non-union labour ?—A. Yes.

By Mr. Rowe :

Q. Do you use any other ?—A. No other kind of labour.

Q. You say you would not employ union men ?—A. I won't go so far as to say that, but I would not be guided or ruled by any of these unions, and as long as I am the owner of that business I calculate on conducting it as I see fit, but I am perfectly willing to sell out to any one who wants to continue it on union principles. As long as I am master of that business I intend to run it to suit myself.

By His Lordship :

Q. Has any particular consequence happened from this man joining the union ? —A. Yes, he came back, I think, in less than a month and wished to be employed again, simply because the union shops could not keep him fully employed. He was a man with a family, and to the best of my recollection he stated he could only get three days employment during a week.

Q. What was the result ?—A. For that reason he came back and worked for us afterwards.

Q. For how long ?—A. For over a year. He is in business for himself in Victoria now.

Q. Have you had any difficulty or trouble with any of the unions lately ?—A. Well, I do not know, your Lordship, what you term difficulty. I understand we are advertised as a scab shop, but that does not cut any figure with us.

Q. Where are you advertised ?—A. Well, in the Labour Hall, on the blackboard. It is posted in large type so that the blind could feel it. I do not know this myself ; different parties have informed me to that effect.

Q. How long has this been going on ?—A. Probably it would date back two months.

Q. Have you ever protested against it ?—A. I have not.

Q. Can you tell us whether or not it has in any way affected your business ?—A. To the best of my knowledge I don't think it has.

WILLIAM WILSON—Victoria, May 11.

Q. Do you know whether or not there are others posted up in the same way ?—A. That I could not say.

Q. Were you ever notified by any officer of this or any union that that was to be done ?—A. No, we have received no notice to that effect. I am certain if we had I would have seen it. There was a notice in one of the papers, I think in the 'Colonist,' in what they call 'Labour Notes,' that our shop was what is called an unfair shop. There was a notice in the labour column some two or three weeks ago.

Q. Could you get a copy of that i sue ?—A. I presume so.

Q. To the effect that you were an unfair shop ?—A. To that effect, yes.

Q. What is meant by an unfair shop ?—A. Well, that we do not comply with the union rules, I presume.

Q. What is your principal objection to employing union men ?—A. Well, I think myself it is pretty nearly time for a business man to close his place of business when he is to be dictated to by his employees.

Q. Dictated to in what way—as to wages ?—A. Yes, and as to hours of labour.

Q. I suppose the case is that it is practically impossible for an employer to employ union and non-union labour at the same time ?—A. They are an element which does not seem to mix very well. I understand, according to the rules of the union that they are supposed to strike immediately a non-union man is employed.

Q. Have you any remedies to suggest to put an end to strikes ?—A. Pretty hard question to answer, your Lordship, pretty hard question to answer.

Q. You see we are instructed by the commission to inquire into the causes of strikes and suggest, if we can suggest, any remedy ?—A. Probably if the world was depopulated a little. I think the labour market seems to be overdone.

By Mr. Rowe :

Q. A surplus of men ?—A. Yes.

By His Lordship :

Q. Have you ever considered the question of interference in any way by the state between employers and employees ?—A. Well, I think myself, that would be a deathblow to politicians if an attempt of that sort were made. I think myself there is a good deal of politics at the bottom of it. You cannot get any one in politics to take a stand. For instance, if you asked our Premier or the Premier of the Dominion to introduce a bill, do you think he would do it ?

Q. Depends altogether on the character of the bill I should say.—A. You know they all vote, and those votes tell in the case of an election. There is the trouble.

Q. It seems to me at present that in case of those strikes which reach large dimensions, and in which the public are being injured, that sooner or later there must be some machinery provided by the state—by which it may interfere ?—A. For instance, the workingmen say there is nothing to prevent a rich man or a speculator, for instance, making a corner of any product, flour, sugar or any commodity that they can advance. They say, we have to pay for that. Now, why should not we combine our labour in the same way ?

By Mr. Rowe :

Q. That is, make a corner in labour ?—A. Yes, so to speak. But there is one thing the workingmen do not take into consideration at all. For instance, take in our own business, they are paid their wages every Saturday night. There is a little bookkeeping done here, I am sorry to say, too much of it. It may be months, or may be for years before we can collect that amount back, before we can get paid for the labour ourselves. They do not take that into consideration at all. They are working for others, and then we are making immense profits out of our labour. They don't take into consideration that we sometimes don't get paid at all. I am sorry to say, too often.

By His Lordship :

Q. You had better bring that 'Colonist' here if you can, Mr. Wilson.—A. If I can get the paper you shall have it. I presume they have the paper on file.

Q. How do the wages paid by you compare with the union wages ?—A. Our wages compare with the union rate of wages.

Q. Do you pay as much—how much do you pay ?—A. We pay as much as the union men get.

Q. How much do you pay ?—A. The union scale runs from $2.50, $3 and $3.50.

Q. And you say you pay as high as union labour ?—A. Yes.

By Mr. Rowe :

Q. How many apprentices have you ?—A. One.

Q. Is he a member of your family ?—A. No, sir.

Q. As a matter of fact there is only one adult employee outside of the family ?—A. No, two. We don't call an apprentice one of the hands.

By His Lordship :

Q. I suppose you cannot tell what the object of posting up as unfair is ?—A. I do not know unless it is to try and coerce us and compel us to join the union.

By Mr. Rowe :

Q. Had you any difficulty just previous to this time with the union ?—A. No. difficulty.

Q. No more reason why that should be done now than any other time ?—A. No. We declined to enter the union when they first formed.

By His Lordship :

Q. When was that ?—A. About a year ago.

Q. You were asked to join that yourselves, or the men in the shop ?—A. The master plumbers.

Q. Do you know any one else who refused ?—A. Well, at that time I think we were the only firm that refused.

Q. How many others are there in the master plumbers union?—A. A few—a dozen—I can tell you in a minute—thirteen.

Q. There are thirteen master plumbers in this union, and you are the only one standing out?—A. Yes.

Q. Has that in any way affected your business?—A. I don't think it has.

Q. Was it the plumbers' union that posted you?—A. No, it was the Journeymen Plumbers Association.

Q. Who is the president and secretary of that concern?—A. Really, I cannot tell you. To the best of my recollection a Mr. Colbert is secretary. I cannot be sure.

Q. Was there much pressure brought to bear on you to join the union?—A. Well, I can't say that there was. Of course there was a general discussion that evening. They tried to convince me that it would be to my advantage to join the association.

Q. The master plumbers association is really an association of employers?—A. Yes, there is the Master Plumbers' Association and the Journeymen's Association.

Q. Well, the masters is a union of employers?—A. It is, and it is not. There does not seem to be any harmony among the master plumbers. Of course a journeyman has got to belong to the union, the masters don't. They accede, of course, to the journeymen's demands as regards hours of labour, rate of wages, &c., but that is all. There has not been what you would call a regular master plumbers association formed. There are difficulties in the way of doing so which I prefer not to mention.

By Mr. Rowe :

Q. Is that the association you spoke of as having been formed a year ago?—A. The Journeymen's Association.

Q. The masters' association was formed first ?—A. They tried to form it.

By His Lordship :

Q. The journeymen's union has been in existence about a year ?—A. Yes.

Q. And that includes practically all the journeymen plumbers ?—A. Yes, all the journeymen plumbers.

Q. How many do they number ?—A. To the best of my knowledge, about 20 men.

Q. Do you know whether they are affiliated with any American organization ?—A. I cannot say.

Q. You think a man named Colbert is secretary ?—A. Yes.

Q. Is there anything else you would like to tell the Commission ?—A. No, nothing that I am aware of.

THOMAS HENRY TWIGG, sworn :

Q. What is your occupation ?—A. Printer.

Q. How long have you lived in Victoria ?—A. About 5 years.

Q. You are employed with the 'Colonist' ?—A. Yes, sir.

Q. You are what is called a union man ?—A. I have been for about 18 years.

Q. What union are you a member of ?—A. The Typographical Union.

Q. That is an international ?—A. An international, yes.

Q. How many members has that union got ?—A. About 50 local members.

Q. Are there any printers who are not union men, not members of that union ?—A. Not in Victoria that I know of.

Q. How many members are there in the Canadian organization ?—A. I could not tell you.

Q. Can you tell us how many in the total organization ?—A. I think somewhere in the neighbourhood of 57,000.

Q. Where is its headquarters ?—A. Indianapolis.

Q. How long have you had branches in Canada ?—A. I could not answer that at all.

The SECRETARY.—About 1860.

By His Lordship :

Q. When the case of a strike comes up, who has the power to authorize or declare a strike ?—A. It is declared by secret ballot of the local union.

Q. Has the executive at Indianapolis any power to order you out on strike ?—A. I have never in all my experience seen anything like that, but I know the International could order a strike where a contravention of the international rules happened, where there is a breakage.

By Mr. Rowe :

Q. Have you a copy of the constitution ?—A. I could get you one from the secretary of the union, George M. Watt.

By His Lordship :

Q. You say the headquarters have power, under some circumstances, to order you out ?—A. I should think they could.

By Mr. Rowe :

Q. That is in the case where a regulation of the international union was being violated in a particular union?—A. Not a particular union. Say, for instance, a local union entered into an arrangement with an office itself which would be a violation of international law.

By His Lordship :

Q. The executive of Indianapolis could order them to refrain from entering into that arrangement and order them out on strike if necessary ?—A. Yes, sir. I might explain that. For instance, eight hours is a day's work on machines. If the union went into an agreement to work longer hours than that it would be a contravention of the rules of the international union.

Q. No matter if it was overtime or not ?—A. Oh, no, not if it was overtime. On linotype machines the international would not permit nine hours. On those machines the executive could declare that invalid.

Q. What would be the consequences if the union did not fall in with the view of the executive—could they be cashiered out of the union ?—A. That is something so unlikely to happen.

By Mr. Rowe :

Q. Would their charter be suspended ?—A. The international has power to suspend the charter.

Q. Would the individual members then be regarded as unfair ?—A. I should think only that portion of the union that voted.

By His Lordship :

Q. But it was by secret ballot ?—A. Well, if seven members decided to hold the charter the charter would stay with those seven.

Q. At any rate, there is a large degree of control reserved to the International at Indianapolis ?—A. Little or none.

Q. Well, you told us if the international came to the conclusion that its rules were being infringed, they could be compelled to give up their charter, so there is a considerable control in the executive at Indianapolis ?—A. That is a power that I have never seen exercised.

Q. You have never heard of the central authority suspending a charter for disobedience of the regulations ?—A. No.

Q. What power has the executive as to sympathetic strikes ?—A. That would require a little detail. That would be found in the international statement in the agreement between the allied trades—the trades associated with it. As far as outside sympathetic strikes are concerned, I do not know.

Q. For instance, if one union was on strike, and it was thought necessary to its success that another should go out on strike also—I mean the Typographical Union ? (No answer.)

By Mr. Rowe :

Q. There could be more than one typographical union in a city ?—A. Not more than one.

By His Lordship :

Q. And the jurisdiction of the local would cover the community in which it was?—A. Yes.

Q. Suppose there was some difficulty between a corporation which owned a printing plant in this place, and one in another, and a difficulty arose in this place, what would be the power of the executive, to call out the union in the other place in a sympathetic strike ?—A. I think the executive would have that power.

Q. Is there any appeal from the action of the executive ?—A. There is an appeal to the international and to the union in convention.

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Q. Is the International Typographical Union associated with any other organization ?—A. With the American Federation of Labour.

Q. Where is the headquarters of that ?—A. Washington, I am local organizer for that institution.

Q. Has that body a local union of its own ?—A. It issues charters to unions where there is no national or international union.

Q. I don't quite understand that ?—A. For instance, if a local union is formed here, you may take some trade that has no international union. The American Federation of Labour is the same as the Dominion Trades Congress. It would issue what is called a federal charter until such time as there would be sufficient unions to form an international body. A recent decision of the American Federation of Labour in Toronto, decided that they must go first to the Dominion Trades Congress. That is a Canadian institution.

By Mr. Rowe :

Q. So this American Federation of Labour is the United States equivalent of the Trades and Labour Congress of Canada ?—A. Some compare it as a sister body and by others the Dominion Congress is looked upon more as a state organization.

Q. Then the object of the American Federation of Labour is to issue charters to bodies which cannot be affiliated with any other body ?—A. Yes.

Q. I suppose the grand aim of that body is to consolidate all labour ?—A. First to give them charters and then to bring them together by themselves into an international union.

Q. And then make that part of the American Federation of Labour ?—A. Not necessarily.

Q. Do they have a convention ?—A. Yes, it is constituted from the locals of the bodies affiliated with it.

Q. What may affiliate—a local union ?—A. Yes. The Trades and Labour Council is affiliated with the American Federation of Labour, or an international union may be affiliated, and they would send delegates.

Q. Have you a copy of the constitution of the American Federation of Labour ?—A. Yes, I think I have one at home.

Q. Could you let us have that ?—A. Yes.

Q. How many members has the American Federation of Labour ?—A. I understand they have about a million and a half.

Q. Is that the largest labour organization in America ?—A. In the world, I think.

Q. What relation, if any, exists between that organization and the Western Federation of Miners ?—A. None whatever.

Q. Or between them and the United Mine Workers ?—A. There is some relationship, but I don't just exactly know what. The American Labour Union is a rival body to the American Federation of Labour.

Q. Where has the American Labour Union got its headquarters ?—A. I think in Denver.

By His Lordship :

Q. That is a body of the same nature then—its chief object is to bring unions together ?—A. Yes, and to go into politics.

Q. They interfere in politics—the American Labour Union ?—A. Yes, they have declared for socialism, I think.

Q. Does the American Federation of Labour interfere in politics ?—A. No.

Q. What is its attitude to socialism ?.—A. It has not expressed any, I think, either for or against it.

By Mr. Rowe :

Q. Are there any mining unions in British Columbia affiliated with the American Federation of Labour ?—A. Not that I know of.

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Q. You state the difference between the two unions to be, one renounces politics and the other does not. One is a pure organization of crafts and the other has also politics ?—A. Yes, organization of crafts and politics. As they put it, they 'vote as they strike.'

Q. Do you know enough of the rules of the Typographical Union or the American Federation of Labour to say whether or not the boycott is regarded as a proper weapon of warfare ?—A. Well, the use of the label is more resorted to by it.

Q. Is the boycott regarded as a legitimate weapon ?—A. I would not like to speak for the association on that.

Q. Have you any personal view about it ?—A. I think the boycott is legitimate.

Q. What do you say as to picketing ?—A. I think picketing is all right if properly carried on.

Q. You would approve of posting up an employer as unfair in a labour hall, would you ?—A. Perhaps I would not want to put it that way, but I would like to see the fair employers posted up.

Q. You would like to put it in negative, instead of positive fashion ?—A. That is to help the union. I would like them to get the benefit.

Q. You are not certain as to whether you would post up a man as unfair ?—A. It would depend a good deal on circumstances.

Q. What is the object of posting a man as unfair ?—A. So that union men will know him.

Q. So that the union will let him severely alone ?—A. They may let him alone, and they may not.

Q. It is a species of boycott, is it not, to post a man as unfair ?—A. Not necessarily, I should not think.

Q. When a man is posted as unfair that is notice to all union men not to have any dealings with him is it not ?—A. There is no hard and fast rule that they should not.

Q. What is the exact meaning of posting a man as unfair ?—A. That he does not employ union help.

Q. What is the reason for advertising and posting the fact?—A. So that union men will know that this man's shop is unfair.

Q. But they would know without that?—A. Not all of them. Take 2,000 men in the city. There might be a plumber, for instance, who would not know that a certain plumber was unfair to the balance of organized labour.

Q. The fact of that would render the man hateful to the members of the union?—A. I do not think hateful.

Q. What adjective would you employ in the situation?—A. Hateful is a strong word.

Q. Would you say obnoxious ?—A. I would put it a little milder than that.

Q. Well, you select the adjective?

By Mr. Rowe :

Q. Objectionable?—A. Perhaps objectionable would be the word.

By His Lordship :

Q. You think the better plan would be to post up those who do employ union men?—A. I think so.

Q. I should think so, too. I do not think there is any doubt, Mr. Twigg, but that the other is rather an invidious way of advertising the fact?—A. It is a matter of business.

Q. Do you think an employer should be molested in any way because he employs non-union men?—A. No, I do not.

Q. Or that a non-union man should be molested because he chose to work without joining a union?—A. No, he should not be molested.

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Q. Have you any remedies to suggest for the stoppage or settlement of strikes ?—A. It is a pretty hard question.

Q. Do you think that either the employer or the employee should be starved into submission ?—A. No, I do not.

Q. What do you suggest as a proper remedy to settle a strike ?—A. I think conciliation should be first attempted.

Q. Suppose the parties did not conciliate—what then ?—A. I would go as far as arbitration, without a binding award.

Q. What is the good of that ?—A. I think public sentiment is strong enough to decide.

Q. Do you think that public sentiment operates upon a body of men called a union in any measure of degree ?—A. I think it does to a considerable degree.

Q. Men whose names are not even known to the public. Do you think public sentiment affects a union very much ?—A. I do.

Q. If public opinion would bind, why not have it without arbitration ?—A. I do not see how they could do that.

Q. You are not aware then that there are plenty of arbitrations which are absolutely binding—made so by law ?—A. That is different. I think that public sentiment would be strong between right and wrong, that as a general rule the public sides with right. Not always, but generally.

Q. That assumes that the public interest themselves in the dispute sufficiently to acquaint themselves with the facts ?—A. Yes, and that would come up by arbitration.

Q. You do not think that compulsory arbitration is a proper arbitration ?—A. No, I don't think we could have compulsory arbitration.

Q. They have it in New Zealand to-day ? And in several Australian colonies ?—A. Conditions are different in New Zealand. They have not the same land tax there.

Q. I suppose you admit that strikes may reach such proportions that the public generally are interested as well as the parties of the dispute ?—A. Yes.

Q. And that in that event there should be some interference by the state ?—A. The public are interested in other ways and the state does not interfere.

Q. That is true enough, but things are getting to such a pass that it looks as if the state would have to interfere ?—A. Why make it particular with trade unions ?

Q. I don't think it should be restricted to trade unions. Any employee can go on strike, whether they are called a trade union or not, or any employer can lock-out. What is the objection to a compulsory award, if there is any objection ?—A. There are several objections, I think. In the first place, in procuring the machinery

Q. Suppose the parties agree ?—A. In my opinion they disagree more than they agree.

Q. An ordinary civil dispute is tried by a judge in the face of the desires of the parties ?—A. Yes.

Q. I think we have not yet heard that we could get along without courts of law ?—A. Yes, we often hear there is one law for the rich and one for the poor, and that I think would be the case in this, that the judge, while he might be impartial in his own way, because he has not observed the environments and surroundings of the workingmen, he would not be able to give an impartial decision.

Q. You mean he cannot appreciate his work ?—A. No, he cannot appreciate it.

By Mr. Rowe :

Q. That is assuming a judge would be selected from outside of the class of labour ?—A. I suppose one would have to go to the Supreme Court to get the most impartial men.

By His Lordship :

Q. Suppose you had a Supreme Court judge with an assessor for each side ?—A. That would lead to more difficulty.

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Q. There would be no danger but what the judge would have all sides presented to him?—A. That would not alter his nature.

By Mr. Rowe :

Q. Do you know the direction in which the majority of decisions in arbitration cases in New Zealand have gone?—A. No, I do not. Sometimes we read of the men objecting and sometimes they are perfectly satisfied.

By His Lordship :

Q. You would not say that the unions were always in the right, would you ?—A. No, I don't suppose they are always totally right.

Q. Well, if they are not always right there should be some one to settle the difference?—A. That is the difficulty—to find someone who can settle it.

Q. Almost anything would be preferable to a constant condition of strike, would it not—even a bad decision?—A. No, I don't think so. A bad decision might lead to worse than a strike.

Q. You mean that a bad decision would not be carried out—would be disobeyed? A. It would be gotten over in some way.

Q. If the decision did not suit the union it would be counted a bad decision, and any means of disobeying it would be countenanced ? That would be the spirit in which it would be received by the union ?—A. Oh, no ; I don't think so.

By Mr. Rowe :

Q. Does the American Federation of Labour take part in strikes ?—A. No, I don't think it does. It is an assembly similar to the Dominion Trades Congress.

Q. Is there any test of qualification for admission to the Typographical Union ?—A. Oh, yes.

Q. What is it ?—A. Five years apprenticeship first, and at the expiration of five years if the applicant is not thought to be fit he is put back under instructions—that is, if he is not competent in a required time to earn a minimum wage.

Q. I understood you to speak of conciliation. Would that be voluntary conciliation on the part of parties concerned, or would the state have any share ?—A. Compulsory conciliation.

Q. That is to say that the strikers would announce that efforts would be made to conciliate, and if one party refused ?—A. That would require a court to bring them together.

By His Lordship :

Q. That would be like bringing two quarrelling dogs together ?—A. I have seen several cases of quarrelling dogs brought together. There is often the feeling that the parties don't want to be the first to speak.

By Mr. Rowe :

Q. At what stage do you think there should be intervention of the state ? You say there should be compulsory conciliation. A strike is begun ; who is to decide how long the strike may go on before it is time to settle ? Supposing it was left to the initiative of the state ? It occurs to me, should not one of the parties have the power to initiate the action ?—A. One of the parties, certainly.

By His Lordship :

Q. Why should not the state itself have the power ?—A. I don't see anything wrong with that.

Q. Take the case of the present coal strike. The public is as much damaged as either party. Why should not the state have the power to step in and say to both sides, 'This must stop' ?—A. I don't think the state would have any more right to interfere than it would when the coal combine puts up the price $1 a ton.

Q. That is another case which the state may have to settle at a future time. Because there are several wrongs existing it is no argument to say others should not be stopped by proper machinery ?—A. It is both the same in my mind.

Q. So long as the immediate parties are only injured it may be proper that the state should not interfere, but where the public is being damaged then, to my mind, it is a very different question.

By Mr. Rowe :

Q. Is it the opinion of the men generally that the state should have a larger control in regard to such commodities as coal ?—A. I think the majority of organized men would think that way.

By His Lordship :

Q. There is a difference, for instance, between the newspaper business and the coal business. We can get along without newspapers, but not without coal. The parties to a newspaper difficulty might fight it out until they were both starved to death, and the public would not be damaged ?—A. On the other hand, they would not know of a coal difficulty if the papers were not going.

Q. They would know if they could not get coal.

By Mr. Rowe :

Q. Do you know of any method equivalent to boycotting which could be used by employers in regard to men being blacklisted ?—A. I have heard of it. Men have told me they have been blacklisted.

Q. Is the Trades anad Labour Council of Victoria incorporated ?—A. Not yet. It was decided at their last meeting to seek incorporation under the Benevolent Societies Act.

By His Lordship :

Q. I suppose it is an advantage, is it not ?—A. There is a difference of opinion.

Q. I suppose because the courts appear to hold them responsible ?—A. They seem to hold them responsible anyway.

Q. Don't you think that where a union has power there should be a corresponding responsibility for the use or misuse of that power ?—A. I do myself, though the opinion is not generally shared. Would you make a union responsible for the acts of individuals ?

Mr. Rowe.—They should be responsible for the acts of their officers.

By His Lordship :

Q. Why should not the union be responsible for the acts of officers purporting to be acting for the union ?—A. I think they should.

By Mr. Rowe :

Q. Can you tell us what is the object of joining an international or American organization ?—A. I suppose it would be on account of the strength—the force there would be in numbers.

Q. That is the chief advantage ?—A. I do not know whether it would be the chief advantage, but there is so little difference in this country and an organization in another country. Their interests are the same.

By His Lordship :

Q. What do you say the chief advantage of international organization is ?—A. I think there are so many advantages.

Q. As compared with purely Canadian unions ?—A. In the first instance, I do not think there is any one trade of itself sufficiently strong in Canada to successfully run a national union.

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Q. In other words, to conduct a strike to a successful issue?—A. Yes, that is one way of putting it.

Q. What are the other advantages?—A. That would have a double advantage; it would cost less to run an international union.

By Mr. Rowe:

Q. The relative cost?—A. Yes.

By His Lordship:

Q. Are there any disadvantages?—A. Not that I am aware of.

Q. Suppose there was some difficulty about the purpose to which the funds were being devoted, which were contributed by Canadians. What redress would Canadian organizations have?—A. Most of the laws of peculation of funds of unions are voted on by a majority of the union.

Q. But the control of the funds is largely in American hands?—A. Yes, but I don't think there is any feeling of nationality between American organizations and Canadian. I have worked on both sides of the line and found no difficulty.

Q. The flag cuts no figure?—A. The union card is all that is required.

Q. It goes at par anywhere in America?—A. Sometimes more than par.

Q. You have no fear about funds?—A. I think there is more money coming from international unions than ever went out.

Q. Are there ever any international disputes arising about the funds?—A. Not of any consequence. I did hear of one. A man once asked how much money the Typographical Union paid into the American Federation of Labour for Canadian members. It amounted to about $53, so there was nothing in that.

Q. Can you tell us how much a year it costs the average union man to belong to these unions of one kind or another? What are your dues, for instance?—A. It costs me 75 cents a month.

Q. To belong to the International Typographical Union?—A. And the local union. That includes everything. The direct dues are $1, and there is a remittance of 25 cents if you attend the meeting.

Mr. Rowe.—That would be a good thing to have in the church.

By His Lordship:

Q. Sometimes it's worth two bits to stay away?—A. No, I don't think so.

Q. What is the yearly revenue of the Typographical Union—about what?—A. I could not tell you.

By Mr. Rowe:

Q. Well, you said there were 57,000 members. Would the average be 50 cents a month?—A. About 50 cents.

Q. That would be about $29,000 a month. What is the per capita?—A. The regular per capita is 35 cents, about 40 cents now.

Q. Are you liable to assessments for strikes?—A. Not unless submitted to referendum vote.

Q. Uuless there is you are not bound to any assessment?—A. Except in special cases, in a particular fight, like the fight against the Los Angeles 'Times.' That is 25 cents a month, there was a referendum taken on that.

Q. Is there anything to make it impossible for a non-union man to work with union men?—A. Every one working in a union shop in Victoria is supposed to have his current monthly working card. He might work on a permit granted by the union.

By His Lordship:

Q. If the employer employs non-union men, the union men will go on strike?—A. The employer does not hire the printers.

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Q. Who does ?—A. The foreman of the office. He is always a member of the union.

Q. It is practically impossible for non-union printers to get employment ?—A. No, he has as good an opportunity to get work as other men, until the next meeting of the union. He goes to the foreman.

Q. So that it is impossible for a non-union man to get employment without sooner or later becoming a member of the organization ?—A. Yes, I guess that is right.

By Mr. Rowe :

Q. They would not impose that condition in the allied trades ?—A. There are occasions where the binding department of a printing concern might be non-union.

Q. Would that be true of the press room also ?—A. The same with the press room.

Q. And the machinists ?—A. The machinists are members of the Typographical Union.

Q. The machine repairers ?—A. Yes, they are members of the Typographical Union.

Q. Would it be considered proper for a union man to walk out if a non-union man started to repair a broken-down machine ?—A. If there was a union machinist available the men would have the right to say that they did not care to work.

By His Lordship :

Q. He would be looked upon as a leper ?—A. No, not in that way.

Q. Well, the case is very bad, is it not ?

By Mr. Rowe :

Q. I suppose you mean if there was discrimination against a union man the men would object to working ?—A. Well, it would not even need to be discrimination. The office makes an agreement with the union that it will employ union help and none but that.

By His Lordship :

Q. Would it always be impossible ? Union men might work in a shop where no agreement existed ?—A. There is no agreement, so far as a written agreement is concerned. Some unions make these agreements, but not in Victoria—it has been recognized so long.

Q. It is understood in the printing trades that no one but a union man need apply ?—A. Yes, that is practically what it comes to.

Q. Case of have to, or get out of the printing business ?—A. No, there are other places they could work.

Q. Where ?—A. They might work in Los Angeles.

Q. Or probably in Dawson ?—A. No, they could not work up there.

Q. There are one or two places where they might work ?—A. No, there might be more.

Q. How about Los Angeles—what is the reason they could get work there ?—A. I understand there is a paper there, the Los Angeles 'Times,' where they are working about 15 hours a day. There might be a chance there until they were worn out.

Q. That is the situation in the printing business ?—A. They do not compel any man to join the union. They have reserved the right to choose whom they shall work with.

Q. You select your company ?

By Mr. Rowe :

Q. By the way, unions have resulted in the improvement of wages of the men, in their opinion ?—A. Yes, undoubtedly.

Q. Do you think if there were no unions that wages would be lower ?—A. Yes, very much. I also think that they do not alone improve the wages of the organized men, but also any men not organized. The non-union men also benefit.

Q. And I suppose you think that that indirectly is an advantage to the public ? —A. Most certainly, it makes a more contented people and brightens their lives. Makes better men.

His Lordship.—I suppose we may adjourn.

Victoria, May 12, 1903.

Bagster R. Seabrooke, sworn :

By His Lordship :

Q. Where do you live ?—A. In Victoria South.

Q. How long have you lived here?—A. Thirty-three years.

Q. You were, up to a short time ago, manager of the Albion Iron Works ?—A. Yes, sir. I quit on February 28.

Q. When were you appointed manager ?—A. I was manager eight years—in 1895.

Q. During that time you can tell us roughly what number of men you employed ? —A. That varies a good deal. In 1899 we had about 300.

Q. You had a contract, or at least the firm had a contract, for the repairing of a ship called the 'Garonne'—when was that ?—A. That was in 1901.

Q. Tell us what you know about that contract and about the strike that happened? —A. At the time that the work was opened there was trouble on the other side. That was before we took the contract. There was a contract made in the first place with Moran Brothers.

Q. There was trouble in the works of Moran Brothers ?—A. Yes, in the moulding and machine departments in Seattle. The boilermakers were working on the 'Garonne' in Seattle when I took the work ; before I took the contract I called a meeting of the Boilermakers' Union here.

Q. For what purpose ?—A. For the purpose of knowing whether I could take the contract or otherwise.

Q. And by that I gather if they had refused to consent to your doing that you could not have secured any men ?—A. No, sir. It was entirely with them to say whether I could take it or not.

Q. It was up to them ?—A. Yes, I showed them the total correspondence.

Q. The boilermakers were not on strike in Seattle ?—A. Not at that time ; it was the machinists and moulders, I think ; I am not sure about the moulders.

Q. What was the result of the interview ?—A. I gave them the correspondence to read, so that they would understand the situation exactly, and then asked them if I was open to take the contract. They said it was all right, and they would work on it when the ship was brought over. I drew up a telegram which I submitted to them.

Q. What was the telegram ?—A. I cannot exactly remember what the wording was. It was that I could take the contract, and could leave that night. It was addressed to Frank Waterhouse, the owner of the 'Garonne.' I met Mr. Waterhouse, and Mr. Robert Moran, of Moran Brothers, and it was mutually arranged to take over the contract—that is Moran's contract. It was not exactly taking over Moran's contract. I was to take a new contract from Waterhouse, and he was to close his contract with Moran Brothers.

Q. It was arranged that Waterhouse should release the Morans ?—A. Yes, and make a new contract with me, provided I would put up a guarantee that if I could

not do the work, in the event of falling down with the union boilermakers, that I should pay the expense of the ship both ways.

Q. If the Boilermakers' Union went back on their proposition ?—A. Yes. You see Waterhouse was rather sceptical. I was sure of it, because I had had this meeting, and they had given me their word, so I gave the assurance by guaranteeing expenses both ways. When I guaranteed the expenses Mr. Waterhouse closed it. I went to the ship with Mr. Moran, and he gathered all the parts that were necessary and put them aboard the ship.

Q. What was the matter with the ship ?—A. They were having new furnaces put in, in the four boilers, and a lot of other alterations.

Q. They were necessary repairs ?—A. Oh, yes. All the furnaces were out at the time.

By Mr. Rowe :

Q. These parts were something he had already supplied ?—A. Parts he had already made in the shop.

Q. You had no contract with Morans ?—A. Nothing whatever—no connection whatever. My dealings were with Frank Waterhouse. He was just completing the terms of the contract. There was nothing to do with Morans. So much so that it did not matter whether Mr. Moran put anything on board the ship or not, so far as our contract went.

By His Lordship :

Q. What was it you were to do ?—A. I was to complete the boilers, and make all the other work, engine work, boiler heads.

By Mr. Rowe :

Q. The other work specified in the original contract ?—A. Yes. The boat was in very bad shape at the time.

Q. A large amount involved ?—A. It would run about $30,000 or $35,000 all told. It was the biggest proposition I had.

By His Lordship :

Q. You got the ship over?—A. Yes, I got her over, and when I came over there was a committee of boilermakers from Seattle sent over on the same boat with me.

Q. They came over on the same boat?—A. Yes. I did not know they were a committee at the time. Of course I knew the boilermakers were aboard, but I thought they were going over to get work on the boat.

Q. You thought they were going to Victoria to get work on the ship ?—A. Yes, the Garonne. The next morning—the ship arrived late that night—this was in 1901, I think somewhere in March. She arrived late that night, and next morning I started to undertake the repairs, and the men refused to work. The boilermakers refused to touch the job. The committee which was sent over held a meeting with them and claimed the job an unfair one, and would not allow them to go to work.

Q. Who told you this?—A. This was told me by the foreman—the foreman of the shop.

Q. Is he a member of the union?—A. He has been a member, but is not now. He telephoned me in the house before I got down. The machinists and other trades, took hold of the work without asking a question. They went to work, but the boilermakers refused.

By Mr. Rowe :

Q. Although it was a machinists' strike, and not boilermakers ?—A. Yes.

By His Lordship :

Q. What do these men mean by the job being an unfair one ?—A. A scab job.

Q. What is meant by that?—A. It means it was taken from a port where there was a dispute. A job taken in an effort to break a strike.

By Mr. Bodwell :

Q. Who decides the point for the boilermakers?—A. It is very difficult to say. Sometimes they hold a regular meeting, and other times they hold an informal meeting.

Q. Was it a question of wages at Seattle?—A. Hours more than wages.

Q. How did the terms that you gave your men compare with the terms demanded in Seattle?—A. I gave them the terms they were demanding in every particular, although they were working on other terms when I made the arrangement. They agreed to work. I gave them the Seattle wages all around—a good deal better than contemplated in the original agreement.

Q. Was this before they struck?—A. Yes.

Q. How did they know you were going to give them these wages?—A. I instructed the foreman to do so. I called a meeting that night, as soon as I returned, about four or five o'clock—I called a meeting of the same men, and I told the men direct that they were going to get Seattle wages. This was at a subsequent meeting, with the foreman present.

By Mr. Rowe :

Q. You amended the terms?—A. What I told them was that I had just returned from Seattle, and what the other trades were going out for I was prepared to give them, and I would not ask them to carry it out on the old wages.

By Mr. Bodwell :

Q. That is, the terms they were asking in Seattle?—A. Yes.

Q. They were not getting them?—A. No. The boilermakers had given notice that they would go out on a certain date for particular terms. So I met these terms. And they told me at the meeting that afternoon that they would go to work the next morning. That was before they had an opportunity of knowing that this committee was coming over. I saw the men before the committee did.

By His Lordship :

Q. When they informed you that they were not going to work what did you say?—I came down as soon as I could after I got the telephone message, and had a meeting.

Q. What did you tell them?—A. I told them I expected them to carry out their promise to me.

Q. What did they say?—A. They said they could not, as this committee had come over from Seattle.

Q. I suppose the foreman was speaking then?—A. No, it was the president of the union, and the secretary-treasurer, with the men present.

By Mr. Rowe :

Q. They said they could not—why?—A. They could not go to work owing to their instructions not to do so—instructions from the committee that came over—the result of their meeting.

Q. Is this a committee of the local lodge at Seattle?—A. I presume so. I could not tell you for sure.

By His Lordship :

Q. This was evidently the International Union?—A. It was from the Seattle union. They have all different lodges, but they are all affiliated.

By Mr. Bodwell :

Q. Who is the president of the lodge here?—A. Penkith was at that time.

Q. Do you know who is now ?—A. Some of the boilermakers here, I suppose.

Q. Penkith was president, and I think Gough was secretary.

By His Lordship :

Q. They said they were instructed by the Seattle committee not to go to work ?—A. Yes.

Q. Any explanation given ?—A. They said it was an unfair job.

Q. What did you say to that ?—A. I had several meetings with them.

Q. On the same day or different days ?—A. On the same day and at different days, and at night also. I could do nothing with them. We had to send the ship back to Seattle, and take the other men off the ship. I called off all the labour on the ship at the time ; in fact I think I called them off before that time.

Q. Had you done any work on the ship at all ?—A. Oh, yes, about $300 worth, I think it was—$300 or $400.

Q. Did you get paid for that ?—A. No, sir, that was lost.

Q. You could not get paid for this under your contract ?—A. No, because we did not complete it.

Q. What do you estimate the firm's loss at ?—A. In the general neighbourhood of about $1,250, probably a little more.

Q. Did you point out to the men that Waterhouse and yourselves were being injured as well as Moran Brothers ?—A. So much so that the local union here did offer to reimburse the company to the extent of what they were out.

Q. No stated sum ?—A. No, they did not specifiy any stated sum.

Q. What did you do about that ?—A. I did not exactly see how they could help us to any extent. We would sooner that they did the work than take any money from them. We did not care about that.

Q. They would not work on that ship ?—A. No ; nothing would induce them.

Q. Did they tell you it was against the rules of the International Union to work on this ship ?—A. Yes.

Q. Did they tell you what the consequence would be if they did go to work ?—A. I don't think they did. I think they just said they were sorry they could not work.

By Mr. Rowe :

Q. Did they remain in your employ ?—A. They said the meeting they had was an informal meeting and they could not go to work, although I had the president and secretary and treasurer of the union here. They were all employed at the work at the time.

Q. They had two meetings ?—A. Yes.

By Mr. Bodwell :

Q. Did they mean that they had no jurisdiction to decide the question ?

His Lordship.—No, they said they were not bound by their promise.

Mr. Bodwell.—Would not that mean that the meeting here had no jurisdiction ?

His Lordship.—It means it was in contravention of their regulations. After the men have given a promise by the president and other officers, and they found when the Seattle men came over that they had been violating some regulation of the union.

Mr. Bodwell.—Was it not that the meeting had not been properly called ? But I suppose we will get the particulars when the president comes.

By His Lordship :

Q. They were not bound by informal meetings ? Did they give any reason ?—A. It would have been carried out had it not been for this committee which came over. They said they would have carried it out, if it had not been for the committee which came over from Seattle. There is no question about that.

BAGSTER R. SEABROOKE—Victoria, May 12.

Q. Are the employees in the Albion Iron Works all union men?—A. No.

Q. What percentage are?—A. Ninety per cent are union.

Q. Has any trouble arisen from the fact that the firm has employed non-union men?—A. Only in the boiler shop.

Q. There are non-union boilermakers there?—A. Yes. That is this last year. It was an open shop; now it is a union shop.

Q. When did it become a union shop?—A. It is practically a union shop, last November, I think it was.

Q. What brought that about?—A. The Amphion contract. We were standing out then against the union, and this contract came on, and we wanted to put in a tender, and we could not do it without giving in to the unions. So we patched it up and called it a union shop.

Q. How did you mean? You could not get the contract?—A. We could not find enough union men to take the work.

Q. The union men would not work with the non-union men on the work?—A. No, they would not touch it.

Q. How many men are employed in the boiler shop?—A. It varies a good deal. The average would probably be 25 or 30.

Q. Are there any disadvantages, from the point of view of the employer, in employing union men only?—A. No, I don't think so. I would sooner deal with union men than I would otherwise, provided they were reasonable in their demands.

Q. That is a pretty big proviso?—A. Yes, they have these agitators coming in from the other side, and interfering with them.

By Mr. Bodwell:

Q. Provided the professional agitator could be kept away?—A. Yes, would leave them alone.

By His Lordship:

Q. Why do you say you would sooner deal with the union?—A. Because I believe in unionism, for the reason that all shops have got to pay the same wages.

Q. Then I suppose you know better how to figure contracts?—A. You know you are on the same level with your competitors, that they are not getting cheaper labour.

By Mr. Rowe:

Q. I suppose if one shop is unionized, it is to the interest of that shop that all the others should be?—A. Not altogether; that would depend.

Q. They might get cheaper labour?—A. They might and they might not. But the unions are strong enough now, so that all shops must employ union men, both machinists and boilermakers.

Q. Did you keep these men in your employ after the Garonne incident?—A. Yes, they went to work.

Q. Did they get the wages offered on the Garonne, or less?—A. They took less. They went on taking less wages in preference to working on the Garonne. They said it was not a question of wages at all; it was a principle of the union.

Q. That correspondence you submitted at the first meeting was it with Mr. Waterhouse or Mr. Moran?—A. The correspondence was with Mr. Waterhouse. I did not know Mr. Moran in the business at all.

By His Lordship:

Q. You say the sole disadvantage of a union is the danger of interference by outsiders?—A. Yes; that has been the trouble in every case.

Q. You mean by outsiders, the agitators, the walking delegate?—A. Yes. There is one point I might have stated. That was that Mr. Waterhouse engaged the services of Mr. Jenkins to oversee the work in Victoria—to represent his interests while here.

BAGSTER R. SEABROOKE—Victoria, May 12.

Jenkins was an ex-foreman in the Albion Iron Works. That was one objection the men had. He represented the owner, not the workmen. He had no power over the workmen. That was one objection that they raised.

By Mr. Rowe :

Q. His dealings would be entirely with you—to see that the contract was properly carried out?—A. Yes. Of course they claimed that I was still doing the work for Morans, and that Jenkins was still representing Morans—he was Moran's foreman.

Q. They were not complaining in Seattle about Jenkins before the awarding of the contract?—A. No, not that I know of.

Q. They thought that was an evidence that they were doing work for Moran under his foreman?—A. Yes.

By Mr. Bodwell :

Q. But they agreed, if you got another man in Jenkins' place, that they would work? They would not touch it then?—A. No.

Q. In your experience with unions, have you found that there is a tendency on their part to demand increased prices, when conditions go up?—A. Yes.

Q. Is there any inclination to take less wages when times get bad?—A. They always want all they can get.

Q. They don't make reciprocal offers?—A. Never heard of any case of that kind.

By His Lordship :

Q. They never consent to a reduction?—A. No.

Q. Well, you would not if you were a workman, and I would not if I were.

By Mr. Bodwell :

Q. So, if in good times you establish a rate of wages, the foundation of that is the increased business and the added profits. Now, when there comes a depreciation, and business decreases, and profits come down, they still want to maintain the good-time wage, and would probably strike if there was a reduction? That would be your experience?—A. Yes, that is right.

By His Lordship :

Q. That cures itself in the end by the amount of work?—A. Yes, you have to lay men off.

By Mr. Bodwell :

Q. That means the cessation of business in the country—the only cure for that is to have business stop?—A. When business is falling off you select the best men.

Q. Will the union consent to your selecting the best men?—A. I have never heard anything to the contrary.

Q. Don't they have to pass inspection, and say whether or not that is the thing to be done?—A. You could not go outside of Victoria, provided there were men idle in Victoria.

Q. They could tell you to employ men here, although they were not as good as men elsewhere?—A. Yes.

Q. Don't they go to the extent of ascertaining whether or not you ought to lay men off, and would they not call it an unfair shop in case you laid off any considerable men on account of the fact that the wages were so high you could not undertake a certain work?—A. I don't think I ever had an experience like that.

Q. In your dealings with unions have you reason to believe that is a stand which could be taken?—A. It is quite possible.

Q. You would have to come to their terms, or in accordance with the constitution they could call your shop unfair and cut you out of good work by refusing to work?—A. Yes, I suppose so.

BAGSTER R. SEABROOKE—Victoria, May 12.

By Mr. Rowe :

Q. But do they do so ?—A. I never heard of an instance.

Q. Did you ever have occasion to ask men to take less wages ?—A. Many years ago we simply told them there would be a reduction.

By Mr. Bodwell :

Q. That was before union shops ?—A. Yes.

Q. You would not try it now ?—A. No.

Q. And that necessarily prevents you taking work, and works to the disadvantage of Victoria—in such cases you could not make a profit on the higher rate of wages? —A. No.

Q. And although that rate of wages was established in good times ?—A. No. Of course in the eastern provinces they work at a lower rate although they have unions there.

By Mr. Rowe :

Q. I suppose that is because the cost of living is less ?—A. Probably the cost of living, I suppose.

By His Lordship :

Q. You say you prefer dealing with union men. Do you say that as manager of the company, or assuming you were in the works ?—A. In a general way. I believe in unions. If they pull together right, everybody is on the same road as regards competition in work. It is a matter also of equipment of your shop how you can compete.

Q. There was another strike in 1901, was there not ?—A. Yes, I think that was in November. That was a ship from the other side—the 'Topeka.'

Q. Can you tell us about that ?—A. That was in connection with the 'Topeka' coming over. The men said they would only work eight hours, and when it came to the boat leaving here they agreed to take nine. I was returning with the tender in my hand. I figured on the contract with the 'Topeka' for nine hours, when the foreman told me the eight hour system was off.

Q. Then they consented to go to work on the 'Topeka' if it would be eight hours ? —A. They said they would have to have eight hours on a ship coming from the American ports.

Q. Because they worked on the other side where they had eight hours ?—A. They said they had to have eight hours. We could not stand for that, and I put non-union men on the work and finished the contract. That involved a strike, and the men went out for something like nine months until we fixed it up.

By Mr. Rowe :

Q. Do you mean there was no work in your shop ?—A. Yes, but it was with non-union men in the boiler shop.

Q. Is there any difference noticeable in the skill of non-union men and union men ?—A. You cannot find any non-union men—they are very scarce.

Q. You say you had them for nine months in your shop ?—A. Some of them have since joined the union. Some of them were helpers and we made boilermakers out of them. I think three or four of them joined the union. We made boilermakers out of them.

Q. What do they make ?—A. They make $3.50 a day—they make boilers.

Q. And the result of the 'Topeka' strike was that union men were excluded from your shop for nine months ?—A. Yes. We did not refuse to give them work, but they would not work.

By His Lordship :

Q. Would you call that a satisfactory experience with unionism ?—A. No, I would not. That is the same trouble again. These agitators came in and would not allow them to carry on the thing in a reasonable way.

BAGSTER R. SEABROOKE—Victoria, May 12.

Q. They simply held you up for eight hours after you entered into the contract for nine ?—A. Yes.

Q. And that was due to foreign interference ?—A. Yes, I am sure of that.

By Mr. Rowe :

Q. This was a foreign job ?—A. Yes, and they simply said if they worked on the job they would have to draw so much money for it.

Q. And it is evident then, in dealing with unions that you have to reckon on the possibility of outside interference ?—A. Yes, at every stage of the game.

Q. You had to provide against this sort of thing ?—A. I don't think they would guarantee anything. Another case in point—a boat from 'Frisco. We had a meeting also to know whether we would take that job or not. A telegram was sent to 'Frisco, and a telegram came back saying they could not work on it. They sent a telegram wanting to know why it was an unfair job. A telegram came back saying it was a fair job and saying they could work on it. I went down, and the ship had left for foreign parts.

By His Lordship :

Q. Then that means that the boilermakers are subject to interference of persons in Seattle and San Francisco ?—A. Yes.

Q. Where else ?—A. From Denver, I believe.

Q. Are they affiliated with the Western Federation of Miners ?—A. I could not say.

By Mr. Rowe :

Q. Do you know from experience whether similar action would be taken on the other side at the instance of a union from this side ? Suppose the trouble had been in your shop, would the same result have followed ?—A. I hardly think it would. I think they would have done the work in Seattle. Of course I can't tell.

By His Lordship :

Q. They are very greedy for work over there ?—A. I think they would have been more willing to help Seattle out.

By Mr. Rowe :

Q. Was it the executive's interference, or interference on the solicitation of one union to another ?—A. I think it was solicitation of one union to another.

Q. What was the name of that other ship ?—A. The 'Horda.' I was cut out of that contract by interference in San Francisco. They did not want to put me in a false position, and they telegraphed to 'Frisco.

By Mr. Bodwell :

Q. That means that San Francisco was the place that gave the orders ?—A. Yes.

By His Lordship :

Q. In Seattle and San Francisco—where else ?—A. We can only take the work on what they claim is a fair job. If not, we cannot touch it.

Q. What are the limits in which they are likely to interfere ?—A. We cannot tell.

By Mr. Rowe :

Q. Was there a contract on this boat in San Francisco ?—A. No, she had been on the union dock, and had a couple of patches put on her. Outside of that nothing was done.

Q. Why didn't they repair her there ?—A. They could not ; there were troubles on there at the time.

By His Lordship :

Q. In July, 1902, there was a strike, was there not, of shipwrights and caulkers ?—A. I had nothing to do with that. I know a little about it, but it was nothing to do with me. They called them shipwrights. They are ship carpenters.

Q. As far as you can say, then, the whole objection is the liability of outside interference ?—A. Yes.

Q. If the men on this side were unionized under Canadian law you think there would be no difficulty ?—A. No. I have always found them reasonable and willing to meet any one fairly if left alone. Before the unions were strong a firm could take advantage of them. A good many of them that were earning their money would not get it, and others again in other shops would take advantage of that.

By Mr. Rowe :

Q. An unscrupulous man would set the pace and the others would have to follow ?—A. Yes.

Q. Then an advantage of the union is to steady the rate of wages, so that you can compete more favourably with competitors ?—A. Yes, so that you can compete more favourably in a modern way. The labour does not make the profit altogether. You have to have your equipment—machinery.

Q. Could you say in this 'Garonne' matter what amount would have been expended in labour ?—A. The labour would have been in the neighbourhood of about $23,000. It might go a little higher.

By His Lordship :

Q. In dealing with a union, when you dismiss a man for incompetency or refusing to work have you to consult the union?—A. No.

Q. They don't take that as a causus belli?—A. No, I never had any interference in that way. I have never dismissed a union man exactly—just simply laid them off.

Q. No inquiry made about it?—A. No.

Q. The question which chiefly concerned you was the rate of wages?—A. Yes, and the reduction of the hours.

Q. What are the hours now?—A. They are working nine hours.

Q. In all these trades?—A. Yes, nine hours in or outside the shop.

Q. I suppose it is only a short time when they will have eight hours ?—A. Yes.

By Mr. Rowe :

Q. What are the wages of boilermakers?—A. $3.50 minimum rate for nine hours.

Q. Can you pay other men more if you desire, without discriminating as between men?—A. Yes, as long as we don't pay any less than $3.50 we can pay any other man as much as we please.

By His Lordship :

Q. When you don't consider a man is worth $3.50 you simply discharge him?—A. We lay him off.

Q. That's what you call it?—A. Yes.

By Mr. Rowe :

Q. Do any boys work in your shop?—A. No, except in the stove department.

Q. Is there a union in the stove department?—A. Yes.

Q. Is there a standard there—that a man must do a certain amount of work?—A. No, they work on piece work, and they make what they can. There is no limitation.

By Mr. Bodwell :

Q. It is said there is in some places. It does not apply to this one?—A. No.

BAGSTER R. SEABROOKE—Victoria, May 12.

By His Lordship :

Q. In the event of a dispute between the union and an employer, which has lasted any time, what method of settling the thing would you advocate ?—A. The only way you can settle is simply meet them and argue the points in dispute.

Q. Would you favour compulsory arbitration in the event of refusal to agree ?—A. Yes, I think I would.

Q. Suppose the parties refused to agree upon the third arbitrator, how would you have the third arbitrator appointed?—A. I think the third arbitrator would have to decide the question.

Q. How would you get the third arbitrator appointed ?—A. As to that I would consider the Supreme Court judge satisfactory.

By Mr. Bodwell :

Q. Would you think it an advantage to have an official third arbitrator appointed to act in all cases of dispute, appointed by some central authority, or one for the whole of British Columbia, who would always be the third arbitrator?—A. I don't think that would be as good as if the Chief Justice should make the appointment at the time. I think he would be apt to get a good man if he appointed in each particular case.

Q. Is there such a difference in the different trades that one man who made a business of the matter would not be as qualified as if you got a particular man in each particular case ?—A. I would prefer a particular man in each particular case.

Q. Would you not think that a man who made it his profession to study trade conditions generally, and to gather information from all kinds of practical experience—don't you think he would be more useful, supposing him to be in other respects equal to the particular man ?—A. You are quite right enough in that—he would probably be more useful in a way, but it would meet the union far better to have a different man appointed in different cases. They would look upon it as though they were having fair treatment.

Q. What would your opinion be as to the actual beneficial result ?—A. I don't know ; I could not say, except in my opinion it would be more to the advantage to appoint a man in every case.

Q. You mean it would be more likely to give satisfaction ?—A. Yes, far more—so that they did not know who the man is beforehand.

By His Lordship :

Q. Suppose I had a scheme by which a Supreme Court judge was selected, and that Supreme Court judge was selected by lot, so that no one would know in advance ?

Mr. Bodwell.—They would know it would be one of the five.

A. I don't think there would be any objection to that. I think they would have an objection if a permanent man were appointed.

By His Lordship :

Q. For the reason that, sooner or later, he would develop a bias ?—A. Yes.

Mr. Bodwell.—It seems to me his mind would be broadened. He is bound to be more qualified.

By Mr. Rowe :

Q. Have you any opinion as to the causes of strikes or disagreements ?—A. Well, in some cases it is caused through lodges having very little business to transact, and they want to make business, and they put up some of these questions to discuss, and they have to work on them.

Q. Do you think that they arise from the distance between employer and employed—lack of personal contact?—A. I don't think so.

BAGSTER R. SEABROOKE—Victoria, May 12.

Q. Do you think many strikes are caused by the policy of the international rather than the local trouble?—A. I don't know; I think it is more of a local trouble.

Q. In all these questions affecting your shop, they were all foreign jobs?—A. Mostly, yes.

Q. They could look on you as, in a sense, interfering with business in the United States?—A. Yes.

Q. Their reasoning would probably be if you interfere in our warfare we have a right to stir it up in yours?—A. Yes.

By His Lordship :

Q. That is all right as between the Moran Bros. and the employees, but why should they kick at the unfortunate owner of the ship?—A. They would not believe but what I was doing the work for Morans. It was that suspicion they had.

Q. That you were concluding Moran's contract for Waterhouse?—A. Yes, Moran's had nothing to do with it. They did not believe that. Although they saw the correspondence, they thought there was something at the back of it that they did not know.

Q. And that you were simply standing in with Moran to help him out?—A. Yes. I was only with Moran a short while. He showed me the parts to put on board.

By Mr. Rowe :

Q. Did he think himself unable to complete the contract?—A. Yes, he was unable The other trades were out at the time. I believe the boilermakers walked out the same day that I took the contract.

By His Lordship :

Q. If there was a little more disposition displayed on the part of employers to interview their men when these troubles arose, a good many of these strikes would be avoided ?—A. I think they could, although I had interviews with them. I never used to put my company in a false position. I was at the meeting at which the members from Seattle were present. The meeting was called by mutual understanding.

Q. Did any of the committee from Seattle speak ?—A. Yes, in fact they were the only men who held the floor. They would not listen to anything. You could not argue with them, no matter what they said. They had only one opinion and would not change their opinion—one of them in particular, did most of the talking.

By Mr. Rowe :

Q. As far as you could judge he was responsible for the trouble ?—A. Yes.

Q. What was his office ?—A. I think he was just a member of his local lodge.

By His Lordship :

Q. And he did all the talking ?—A. Yes, practically all.

By Mr. Rowe :

Q. Did he remain here until the ship went back ?—A. I think he remained here after the ship went back.

His Lordship.—Probably a Yankee Irishman !

By Mr. Rowe :

Q. And the position he took was that it was an unfair job ?—A. Yes.

Q. Did he quote the constitution ?—A. No.

Q. He was the constitution ?—A. Yes.

Q. That proposition was not disputed by any of the local men—none of the men did battle with this giant from Seattle ?—A. No, what he said was law.

BAGSTER R. SEABROOKE—Victoria, May 12.

By Mr. Bodwell :

Q. Did you gather that he held any official position—a member of the executive or anything of that kind ?—A. I really could not tell you. He seemed to be the whole push in the thing. There were several other jobs which I could have brought over, but I had to turn them down. I might have closed contracts for ships over there. I think there were three.

Q. The aggregate amount of these contracts would have been what ?—A. I suppose the total business would have been about $120,000. We could have handled that work in 1901.

By His Lordship :

Q. Two other ships in Seattle ?—A. One in Tacoma. I made an estimate that we missed a little over $100,000 gross amount.

By Mr. Rowe :

Q. What percentage of that would be wages ?—A. You can generally figure about seventy per cent.

Q. Do you know how these strikes in Seattle were settled ?—A. Moran's is not settled yet. It is an open shop. They are working union men and non-union men. They have some union men in the machine shop, but all non-union boilermakers.

Q. In the nine months that you were an open shop did you suffer any interference from the union ?—A. They distributed some bills, and were very careful to examine our work.

Q. What were on the bills ?—A. Naming the shops that were fair shops and those that were not. They were distributed around the streets—some posted up outside of our works.

Q. Were all the shops that were listed, Victoria shops ?—A. Yes.

By His Lordship :

Q. When you say there was about $70,000 lost to Victoria in one year in wages, is that an exceptional year ?—A. That would be exceptional, on account of strikes in Seattle. The chances are that not less than half that would be obtained.

GEORGE PENKITH, sworn :

By His Lordship :

Q. How long have you lived here?—A. Fifteen years in July.

Q. Your business is that of a boilermaker?—A. Yes, sir.

Q. You are a member of the Boilermakers' Union ?—A. Yes.

Q. When was that union started?—A. Five years ago last January.

Q. Is it affiliated with any American organization?—A. Not that I am aware of.

Q. It is an international organization?—A. Well, it is not called an international. They call it The Boilermakers and Iron Ship Builders Union of America. That is the name. Its headquarters are in Kansas City.

Q. And there are local unions over the whole of Western America and British Columbia?—A. Yes, all over the continent of America, including Canada.

Q. How many members are there in the union—in the whole organization?—A. I could not just say—between 15,000 and 20,000.

Q. How many members are there in your local union ?—A. Thirty-five of them, I think.

Q. And you have a charter from Kansas City?—A. Yes.

Q. Did you take any oath when you joined the union?—A. Yes.

Q. What is the nature of the oath?—A. It is not exactly an oath. It is to abide by the laws of the union.

Q. Are you put under an oath when you join?—A. Not an oath as you use it here. We simply take an obligation. We are not sworn.

Q. An obligation to abide by the rules of the union?—A. Yes.

Q. Can you give us a copy of the constitution and by-laws?—A. I could not now. I have not got it with me. I could get you one.

Q. Are you at present an officer of the local union?—A. Not at the present time. I am a trustee.

Q. Are you not incorporated—are you a legal union?—A. No, sir.

Q. And you say the boilermakers and iron shipbuilders are not affiliated with any other organization?—A. Not that I know of. I don't think they are.

Q. You were president of the union in 1901?—A. Yes, sir.

Q. And you were employed by the Albion Iron Works?—A. I was not at that time.

Q. Have you heard what Mr. Seabrooke has told us about the trouble with the 'Garonne'?—A. A great part of it.

Q. What is your account of that?—A. Mr. Seabrooke has been pretty fair, I think, all through. At the same time I differ on some points. If there are any questions I would be pleased to answer them.

Q. You heard Mr. Seabrooke say that he had an understanding with the men that he could go to Seattle to get that ship and bring her here?—A. Yes, that is right. We came to the understanding that there was no dispute at the time with the boilermakers. Mr. Seabrooke showed us at the time by a paper he got from Mr. Waterhouse, saying Mr. Moran asked him if he would do the job—that there was a dispute with the machinists, but not with the boilermakers. We did not see any difficulty in doing the job so long as there was no difficulty with the boilermakers. I may say further, there was no dispute at that time, but the boilermakers would not work on it at Seattle.

Q. So that when he went to Seattle and got this boat, he was correct when he stated there was no dispute, except with the machinists at Seattle, and your men were willing that he should go to Seattle and get the boat, and that situation was correct at that time?—A. Yes.

Q. He got the boat, and you found there was a difficulty?—A. When he took the boat from Seattle there was a dispute two days before it was taken away.

Q. You were willing to work until the men from Seattle came over to see you?—A. Yes, because we did not know there was a dispute until they came and told us. There was no dispute with Mr. Seabrooke. The dispute took place on the afternoon that he got there. The dispute occurred on Wednesday, and he brought the boat on Friday. At the time he went there was no dispute. It arose after he got there.

Q. So I suppose you think that Mr. Seabrooke should have communicated with you first before bringing the vessel over?—A. I think Mr. Seabrooke was quite right when speaking with us, but I don't think he was right in bringing the boat over while there was a dispute.

Q. When he found there was a dispute at Seattle he should not have taken the ship away without consulting you?—R. Yes, sir.

Q. If he had asked you by wire from Seattle whether he should come on and bring the boat back, what would you have said?—A. Of course I should have laid it before the lodge; I would not have taken it on myself, and would have wired back to Seattle to that effect.

Q. You were bound by your organization to consult the boilermakers in Seattle before you could work on this vessel?—A. We were not really bound. Brotherly love you might call it.

Q. At any rate you felt under an obligation to them to inquire into their trouble and dispute before you could go to work on the 'Garonne'?—A. Yes.

Q. How many were there on this Seattle committee which came over to see you ?—A. Three, I think.

Q. They were Americans, I suppose ?—A. One of them was a Victoria man.

Q. Two Americans and one British Columbian ?—A. Yes.

Q. Who were these men ? What office did they hold in their union ?—A. One was the president, and the other two simply men appointed.

Q. Was the president the man who did most of the talking ?—A. Yes.

Q. What was his name ?—A. Ryan.

Q. I was right then. And he told you about the existence of the strike over there ?—A. Yes, sir.

Q. Did he discuss the situation with you and the boilermakers ?—A. No.

Q. You accepted everything he said as gospel, did you ?—A. No.

Q. How did you know you were bound to go on strike ?—A. We did not go on strike.

Q. You refused to go to work on the 'Garonne' ?—A. I suppose you would call it a sympathetic strike, I suppose.

Q. And you went out on this sympathetic strike by the request of the Seattle people ?—A. No, we did not go out. We wrote to the Supreme Court of the lodge in Kansas to see what their decision was. We communicated by telegram.

Q. Do you remember how you worded the telegram ?—A. I could not just remember. It was a long telegram.

Q. I suppose you explained what the facts were—that there was a strike at Seattle, and that you were being asked to work on the ship ?—A. We explained, as far as we could, the facts of the case. That the Seattle people claimed it would assist them ; that we had given our promise to do the work, and that we were willing to do the work if we could have got the consent of the Supreme Court lodge.

Q. And that the Seattle men thought it would help them if you did not go to work ?

By Mr. Bodwell :

Q. And also that you had given your promise to go to work ?—A. Yes. We also stated that the Albion Iron Works had their contract. We explained the full matter.

By His Lordship :

Q. What was the nature of the reply ?—A. That we were not to work on the job on account of the Seattle union. We were to work in conjunction with Seattle. Something to that effect.

Q. And the meaning of the reply was that as long as the fight went on in Seattle between the boilermakers that you could not have gone to work on this ship ?—A. Unless the boycott was lifted by the local lodge. They could give the permission for any one to work on it.

Q. That is, if they consented to regard it as a fair job, you could go to work, and as long as it was an unfair job you could not go to work. Those were the words from Kansas city ?—A. Yes.

By Mr. Rowe :

Q. The effect of the reply was that you could not work on the job as long as Seattle felt unfair ?—A. Yes.

Q. So that before you could go to work you had to consult two bodies, one at Seattle and one at Kansas ?—A. Well, yes.

By His Lordship :

Q. What would have been the consequences if you had disobeyed the Kansas city people and had worked on the contract ?—A. They might have taken our charter away from us, and have declared us scabs.

Q. They probably would have ?—A. Yes.

GEORGE PENKITH—Victoria, May 12.

Q. Would you have been posted or blacklisted if you had done that ?—A. Certainly they would take our charter away from us, we would have been posted all over America—each individual.

Q. The result of that would be you could not get a job on the continent of America ?—A. Not where there was a local union—not in a union shop.

By Mr. Rowe :

Q. That is, unless you joined the union ?—A. Yes.

Q. If you went to another town, for instance, and offered to join the union—the fact that you had been in this union would not preclude you ?—A. That would depend on what they thought. They would probably put a penalty of $100 or $200 on us.

Q. Is there any provision for that in the constitution ?—A. I could not tell definitely as to the constitution. I suppose it is whatever they choose to put on you. There is a clause for penalties. It is left to the lodge.

By His Lordship :

Q. What is the advantage of belonging to a union of Canadian workmen whose headquarters are in the United States ?—A. Well, the strength given by numbers. The local lodge has 20 or 30. They are not as strong as with 30,000 or 50,000.

Q. You mean you could not remain out on strike for any time ?—A. Yes.

Q. That is the sole advantage—in numbers ?—A. An advantage is with a man travelling around the country. He gets a lot of assistance until he gets a job. If a man has a union card he can go to 'Frisco and get a job. If he had not he could not get a job.

Q. Do you think an organization confined to Canada would not be strong enough to ensure all legitimate purposes ?—A. I think so.

Q. Provided of course there was a suitable alien labour law ?—A. Yes. Otherwise you would have them coming over from Seattle and 'Frisco and taking our jobs away from us. I don't think they would come and scab particularly, but still there would be that to contend with.

Q. They would not think you had any rights as against them unless affiliated or part of the same association ?—A. No, we could not bind them. Of course they are bound under this.

By Mr. Rowe :

Q. You would have the same power against them ?—A. Yes, but the men in British Columbia are too good for that. The men here would not do a thing like that.

By His Lordship:

Q. You think they are a higher grade than in the United States ?—A. Yes.

Q. I am glad to hear it.

VICTORIA, May 12, 1903.

CHARLES A. GREGG, sworn.

By Mr. Bodwell :

Q. You were the editor of the 'Rossland Miner' in 1901 ?—A. Yes.

Q. During the months of July, August and September ?—A. Yes.

Q. You remember that during these months a series of articles appeared with relation to the strike then going on at Rossland ?—A. Yes.

Q. In so far as these articles contained copies of letters and documents, can you tell us whether or not they are correct copies.—A. They were. Those that appear as signed in the papers. Actual copies of documents.

Q. Where these articles contain subjects of controversy between the miners and the owners, and dealings with the Board of Trade, are they actual occurrences that happened at the time?—A. Yes.

Q. And is the report correct as to what took place? What knowledge have you as to accuracy?—A. Any articles containing documents bearing signatures and interviews with parties to the controversy are accurate.

Q. How do you know that?—A. I had to deal myself personally with the matter in the way of collecting these signed documents, and I know that any of them material to an inquiry of this kind are correct.

Q. Take the case of an interview between mine owners and the labour union—reports of interviews between them—how were these obtained?—A. Well, I think that the officers of the miners' union were asked to make statements, which they did, and on the other hand the mine managers were asked to make statements, and they did, and they were published simultaneously.

Q. Were the accuracy of any of these statements questioned during the period of which they were being published?—A. I don't remember that they were.

Q. There is some information there which was obtained from the United States. Can you tell us how that information was obtained?—A. That was handed in by Mr. Bernard McDonald, manager of the Le Roi mine. It had been sent to him by a friend in the States. The accuracy was not questioned by any one, although there was trouble at the time.

Q. How were the reports in the court taken?—A. By a reporter of the paper—by a trustworthy man.

Q. Was the accuracy of the reports questioned at any time?—A. No statement of fact was ever questioned that I know of.

By His Lordship:

Q. The 'Rossland Miner' was the oragn of the mine-owners?—A. It was at that time.

Q. You took your instructions from the manager of the mine—from Mr. Kirby and others?—A. Mr. Kirby and Mr. McDonald. There was another organ called the 'Evening World.' That was supposed to be the organ of the men. There were accounts of these interviews in that paper.

Q. Did they differ materially?—A. The only difference that was apparent between the two papers in respect of the strike, consisted in presentation of arguments. There was hardly any very serious question of fact in dispute at any time.

(Mr. Bodwell suggests that the Commissioners examine files of 'Rossland Miner' and 'Evening World,' from July 14 to September 20.)

GEORGE PENKITH, recalled.

By His Lordship:

Q. Could you tell us, Mr. Penkith, whether the men would have gone to work on the *Garonne*, if they had not been requested not to do so from the other side?—A. They would have preferred to.

By Mr. Rowe:

Q. They considered it quitting work then?—A. No, not exactly.

By His Lordship:

Q. I understand the position was that the contract had been entered into before the boilermakers' strike broke out?—A. I don't know about that.

Q. Is there any way of ascertaining that?—A. From Mr. Seabrooke.

His Lordship.—Had the contract been signed by you, Mr. Seabrooke, with Mr. Waterhouse before the trouble broke out?

Mr. Seabrooke.—I never knew of this.

Mr. Rowe.—You did not know when you left Seattle?

Mr. Seabrooke.—I knew when I left Seattle. The ship left ahead of me.

His Lordship.—The contract was signed before the strike had taken place?

Mr. Seabrooke.—Yes.

By His Lordship:

Q. Would you consider a union of boilermakers in Canada sufficient to meet all legitimate purposes without affiliation with any American organization?—A. Yes, I think so.

Q. The men would have more control over themselves and their actions?—A. I don't think that would make any difference, because they have control over themselves anyway.

Q. You cannot say that they have control over themselves when they get orders from Kansas City?—A. The local lodge has its own option.

Q. You people asked the lodge in Kansas City and obeyed their instructions?—A. Of course it was a difference between two lodges.

By Mr. Rowe:

Q. I think if you had not been associated with an American union you could have taken that work in spite of them if you felt that it was fair?—A. Oh, yes.

Q. Did the local lodge think it a hardship to have to come out?—A. No. After the statement was placed before them they thought it was only right. The Seattle people claimed if they got the boat back again it would be a great assistance to win the strike there. If the Seattle men could control the work they would have the honour of getting the strike settled.

Q. Supposing the men had been locked out by the Albion Iron Works as a result, would the federation have furnished them with support?—A. Yes.

Q. Supposing the Albion Iron Works put non-union men to work on the *Garonne*, would the union men have gone out from other work?—A. They might have. They would not have been able to do that so long as they were not compelled to work with non-union men. They would not have worked on the boat with non-union men.

Q. Did not the local lodge think that the action of the Kansas City people was making them break faith with Mr. Seabrooke?—A. No, I don't think so. We told Mr. Seabrooke we would do the job, if it came before there was a strike on.

Q. Supposing you had not imposed that condition—would you feel your obligation to the union to be greater or less than your obligation to the Albion Iron Works? Which would have to yield?—A. For myself, individually, I would have felt justified in going with the Albion Iron Works.

Q. You could not say what the boilermakers would do?—A. No.

Q. Supposing you had made a condition with Mr. Seabrooke, and that was made clear to the central authority in Kansas City, would they have the power to make you break that contract?—A. Yes, I think they would.

By His Lordship.

Q. The short and the long of it is, that a contract won't stand in the way of a strike?—A. No.

Q. Do the boilermakers discuss socialistic doctrines and politics in their meetings?—A. No, sir.

GEORGE PENKITH—Victoria, May 12.

Q. Are strikes declared by ballot?—A. Yes, all questions of strikes.
Q. Is that the invariable rule?—A. Yes, sir.

By Mr. Rowe:

Q. Is your union incorporated?—A. No, sir.
Q. What is the opinion generally of your craft with regard to incorporation of unions?—A. I have not discussed the matter at all.

By His Lordship:

Q. Have you a benefit fund?—A. Only when striking.
Q. What amount does it cost you a year to belong to the union?—A. It costs 50 cents a month. Then, of course, there are other assessments coming along to assist strikers outside. If there is a strike in 'Frisco or somewhere else,——

By Mr. Rowe:

Q. How does the central authority get its funds?—A. By per capita tax, 25 cents per member per month.
Q. Is that included in the 50 cents a month?—A. That is included in that.
Q. Have you any personal opinion on the question of incorporation?—A. No, I never went into it.

By His Lordship:

Q. What do you say as to arbitration in the case of strikes?—A. I think arbitration is all right.
Q. Supposing that parties fail to agree on a third arbitrator, how would you say he should be appointed?—A. I think that should be in the authority of the Chief Justice.
Q. You think a judge should be given power to appoint the third party?—A. Yes.
Q. You understand what I mean by arbitration—arbitration whose award was binding?—A. Yes, I understand.

By Mr. Rowe:

Q. What is meant, exactly, by recognition of the union by an employer?—A. Suppose you have a shop committee—the employer would recognize that shop committee, and not take any action against the men. Supposing we had some little grievance and we appointed a committee to see the employer, and he would not recognize that committee as coming officially from the union. To simply acknowledge them as coming from the union.
Q. To deal with them as representing the union?—A. Yes.

By His Lordship:

Q. I suppose in your craft you don't allow non-union men in the same shop?—A. No.
Q. Recognition of the union would involve the exclusion of non-union men?—A. Yes.

By Mr. Rowe:

Q. You are speaking of your own craft? That is not necessarily the case in all?—A. Yes, I speak of my own craft.

By His Lordship:

Q. The paramount aim of unions is to maintain a standard rate of wages?—A. Yes.

By Mr. Rowe:

Q. I suppose no union man has a right to approach the management with a grievance, except through a shop committee?—A. No.
Q. He would be violating a union law?—A. Yes.

GEORGE PENKITH—Victoria, May 12.

By His Lordship:

Q. The result of that is, that any grievance is first discussed among the men, and they decide whether it is sufficiently important?—A. The men go to the shop committee, and the shop committee go to the foreman.

Q. The shop committee would decide as to a proper list of grievances?—A. Yes.

Q. In that way, the employer might be saved some difficulty?—A. Yes.

By Mr. Bodwell:

Q. Is a shop committee authorized to settle the grievance, or must they go back to the lodge for instructions?—A. They go back to the lodge and report.

By Mr. Rowe:

Q. They might be instructed to settle on certain terms?—A. Yes.

By His Lordship:

Q. The effect of a union is to arrange a better understanding among the men and employers?—A. Yes, among them both.

Q. Have you anything to say on the subject of boycott and picketting?—A. No.

Q. Do you regard these as fair weapons to use in strikes?—A. I don't believe in them altogether. I believe, if a man goes to work—a non-union man—I believe in a man speaking to him, and asking if it is a proper thing to do. But I don't think it is right to compel him.

By Mr. Rowe:

Q. You urge persuasion—not threats?—A. Yes. I don't believe in going into a shop in that way.

By His Lordship:

Q. Do you believe in posting a man up as unfair and declaring a boycott against him?—A. No.

By Mr. Bodwell:

Q. Still, that is the usual course pursued—lots of men posted in the Labour hall?—A. I don't know any. One or two of the shops posted—one or two of the employers are posted.

By His Lordship:

Q. How would it be to publish a list of employers who employ union labour, instead of publishing those who don't?—A. They simply say it is an unfair shop. That simply gives a man an idea if he wants anything done, not to go to that shop.

Q. What is the thing that will make a shop unfair?—A. By not paying the union rate of wages. One shop might pay $3.25 and another $3.50.

By Mr. Rowe:

Q. Suppose they pay the union rate to any one except union men, would that be unfair?—A. It would not be unfair. It would not be recognizing the union. I would not call it an unfair shop, but it would not be recognizing the union.

By His Lordship:

Q. The effect of posting up a man as unfair is to engender a certain amount of ill-feeling?—A. Simply to tell the men not to go to that shop.

Q. The same object would be effected by using a white list and not a black list, giving the names of those who were fair?—A. Yes.

Q. Have you a copy of the constitution now?—A. Yes.

(Witness puts in copy of Constitution of Boilermakers' Union—Exhibit C. and Constitution of local lodge—Exhibit B.)

GEORGE PENKITH—Victoria, May 12.

By His Lordship :

Q. When you ask a man to join the union, what is the chief objection ?—A. I never found any one object to joining the union.

Q. That means that all the boilermakers in Victoria are union men ?—A. Yes.

Q. Do you know what is the general objection raised by non-union men to joining the union ?—A. I don't know any objection. They like to work out their own salvation. They want to be independent. They are always willing to take any good thing that may come to them by the union's action.

By Mr. Rowe :

Q. Do you think unionism improves the condition of all classes of workmen ?—A. Yes, sir.

Q. Has the price of labour increased since the formation of the union in Victoria ?—A. Yes.

Q. Has that been due to the union, or the condition of industry ?—A. I think in one sense it is a good deal to do with the union.

Q. Do you do any piece-work in your trade ?—No, sir, not in Victoria.

Q. What is the custom in your trade where there is piece-work ? Is a man limited as to his output ?—A. No, he is not limited. He gets all he can. He is allowed to earn as much as he can as far as the union is concerned.

Q. Do you know of any cases where an employer has reduced the price of piece-work if a man can do a lot of it in a day ?—A. That is done all over—it is a custom.

Q. So that his earnings in a day will not rise above a certain level ?—A. Sometimes they allow a man to make about time and a third, or sometimes time and a half.

Q. Do they make that man do that work for less price than a slow man working beside him ?—A. It is the same rate all round, and everyone has to take the same chance.

Q. So it would be better for a good workman to set a good pace ?—A. Yes.

Q. Not to do so would be to drag a good man down to the level of a weak man ?—A. It is as broad as it is long. They pay a man according to what he is worth.

Q. Anyway, an employer can protect himself by laying off the poorer men ?—A. Yes.

Q. When a new piece is introduced, how do they set the price ?—A. A certain price is allowed for rivetting and so much for plating. They have a sort of standard, and anything extra that is not in the standard, of course they allow what is right.

Q. The variations are not very numerous ?—A. No.

Q. If the ultimate object of labour unions is to raise the rate of wages it will come to this—that when wages are raised all round the cost of living will be raised ?—A. I don't think the ultimate object is to raise the wages to that extent, but simply to get a good living wage, so that every one can live comfortably.

Q. I suppose the idea of unions is to get a larger proportion of the product rather than simply an increase in the wages ?—A. Yes.

By His Lordship :

Q. When unions consider the question of demanding a raise in wages do they take into consideration the bad debts of the employers ?—A. I don't think they have many bad debts.

Q. That was suggested to me by the evidence of Mr. Wilson ?—A. There is no doubt the employers have to wait a great length of time in many cases. I don't think there is any union that would try and force a man in a case of that kind.

Q. I understand, Mr. Penkith, that in the case of the boilermakers you take no oath, simply an obligation ?—A. That is all.

Q. I suppose that is in the constitution, is it ?—A. It is not in the constitution.

Q. Would you call yourselves a secret society ?—A. Yes.

Q. You are a secret society ?—A. Yes.

GEORGE PENKITH—Victoria, May 12.

By Mr. Rowe :

Q. Have you any Canadian affiliations or associations of your lodge ?—A. We are affiliated with the Dominion Trades Congress. We pay a per capita from our 50 cents a month—6 cents per member. Six out of 50 goes to the Trades and Labour Council.

Q. And the balance of that money is sent over to Kansas City ?—A. Twenty-five cents a month is sent to Kansas-City.

Q. What becomes of the balance ?—That is used for local purposes.

Q. Does the parent association hold conventions ?—A. Yes.

Q. Do you send delegates ?—A. We never have—we have the right.

Q. Is the headquarters always in Kansas City ?—A. It always has been.

Q. It does not change year by year ?—A. No.

Q. Do you know whether there are any boilermakers' unions in Canada affiliated with them ?—A. About seven, I think.

Q. Have you anything like a district association ?—A. No.

Q. What is the basis of your representation to the grand lodge ?—A. One representative from a union, one to every twenty-five.

HARRY F. BULLEN, sworn:

By Mr. Bodwell:

Q. Is your company an incorporated institution?—A. Yes, it is called the British Columbia Marine Railway Company, Limited.

Q. You have works in Victoria and also in Esquimalt?—A. Victoria, Esquimalt and Vancouver.

Q. And your business is what?—A. Building, docking vessels and repairing them.

Q. How long since you began operations in Esquimalt?—A. In '04.

Q. And when did you start in Vancouver?—A. In '08.

Q. What is the average number of men employed by you here?—A. It depends on the volume of the work.

Q. What is the greatest number you have employed at any time in 1902, for instance?—A. From 150 to 200.

Q. What class of workmen are employed?—A. Boilermakers, machinists, joiners, caulkers, carpenters and engineers.

Q. What is the proportion of men who work in metal as compared with men who work in wood ?—A. About 70 to 30—70 per cent in favour of the wooden shipwrights.

Q. Are your men union, as a body?—A. Nearly all of them.

Q. The shipwrights have a union—the boilermakers?—A. They all have their different unions.

Q. Do you recognize the unions—I suppose you do?—A. Nearly all of them.

Q. What do you understand by that term?—A. To accept their constitution and their by-laws.

Q. And treat with their committees?—A. Oh, yes.

Q. What, in your experience, are the duties usually performed by the committees?—A. The committees are supposed to represent the body of the union in any negotiations with the employers.

Q. Do they do more than discuss the question of wages, as a rule?—A. They are supposed to act on every question that may turn up.

Q. Supposing that you were employing a man who belonged to a union working in metalwork which could be done by a shipwright, a man who works in wood, would the committee interfere in a case of that kind?—A. Yes, they would.

Q. That would come within their jurisdiction?—A. Yes. The unions have an agreement between themselves that they shall do a certain class of work—one, one, and another, another.

Q. Then, if a man was capable of suiting you, you could not employ him on a piece of work not recognized as union work?—A. No.

Q. He may be able to work in wood perfectly well, yet, if he belonged to the machinists, you could not ask him to do the work?—A. No, that would be a subject of complaint.

Q. Have you had any strikes in connection with your business here, or have you had any labour troubles—perhaps we will put it in that way?—A. We had a little trouble last year.

Q. What caused that trouble last year, or did it go back farther than that?—A. Well, the trouble caused last year was by the employment on our part of two men who belonged to the union in Vancouver, and who had been working here for some time with other union men—the shipwrights' union and carpenters' union.

Q. How did that cause trouble?—A. Our men refused to work with them.

Q. Why?—A. They said they belonged to the Vancouver union.

Q. Did that mean they could not work in Victoria?—A. No, they had been working in Victoria on the *Venture* for four or five months. They were not working for us then. They were working with the men who were employed on that boat. When the *Venture* was finished, they came to us, and the union men refused to work. Two Allans by name, came here and said they had been working on the *Venture* for some months, and if we would employ them, they would move from Vancouver and work in Victoria. I told them we would give them work at the regular union wages.

Q. What objection was made to that?—A. They were to come down to work on Monday morning. They arrived and told me that if they went to work, the union men said they would quit.

Q. For what reason?—A. The reason the union gave was, that they were not members of their union.

Q. Did that mean they could not work here unless they were members of the Victoria union?—A. That is what they said.

Q. Not unless they joined the local lodge in Victoria?—A. They had been working with the same men previously, and no objection was being raised then.

Q. Why was the objection raised when they came to work for you?—A. I saw the president of the union, and he said they had passed a resolution at their union meeting, and they decided not to work with the Allans.

Q. What reason did the president give?—A. They said they had passed a resolution—I think it was to the effect that they would not work with the Vancouver union without the consent of their own union, and they had not the consent of their own union.

Q. Who was president of the union at that time?—A. David Kelly. He is in Victoria at the present time.

Q. He is working now?—A. Yes.

Q. Was there anything that occurred prior to this, connected with it in any way? Any trouble previous to this trouble?—A. There were one or two little things that happened, but nothing serious.

Q. What were they?—A. We had a steamer here, called the *Bertha*, for repairs, from the American side.

Q. When was that?—A. About a year ago, the first part of this month. Time was the essence of our agreement in making the repairs, and we had all the available union men employed, and I asked permission of the executive of the Shipwrights' Union to put on outside handy men to facilitate despatch. They said they could not do so without calling a meeting. And then they held a meeting and notified me that they could not grant the request.

Q. You were not able then to get your vessel out on time?—A. No.

Q. Were there men here you could have employed sufficient to get her out on time?—A. Yes. The reason given was that they would not work with non-union men.

Q. You had employed all the union men available, and yet they would not allow you to employ non-union men?—A. No. It was not a time contract—it was a verbal

assurance that we would give good despatch. I explained this to the union. They said they could not help that—that they could not work with non-union men. I explained that we could not get union men, and explained that the longer she stayed the better for us.

Q. And they would not consent ?—A. No.

Q. And did not consent ?—A. No. The upshot was we had to do the best we could with the union help available.

By Mr. Rowe :

Q. Would they have permitted you to bring union men from Vancouver ?—A. I think we had to wire and arrange from Vancouver.

Q. Would they have permitted you to bring union men from Vancouver ?—A. We have had men from the other side.

Q. Have you had any experience in bringing men from Seattle, say ?—A. Yes.

Q. What is there about that ?—A. I only had trouble once. In the other instances the men saw that we got the men ourselves.

By Mr. Bodwell :

Q. What are the circumstances in that case ?—A. It is so long ago I cannot remember. I forget the details.

Q. What was the substance of the trouble that you had, in a general way ?—A. I think the objection the men raised was that the men on the other side were not the same stamp as the men here—not as high class men. They were not as good, and did not take the same interest in their work.

Q. You could not get in sufficient good men here ?—A. No. Of course, since then, when we had our trouble last July, we threshed the matter out pretty fully between the union and ourselves, and we came to a very clear understanding and settled all our difficulties amicably, and made an agreement that was satisfactory to both the men and ourselves. I don't think it is policy to stir up things of the past.

Q. Well, this history is very useful to the Commission, and I don't see why you should not tell us. You have made an amicable arrangement with these men ?

His Lordship.—You are not stirring it up, Mr. Bullen—it is the lawyers and the Commission.

By Mr. Bodwell :

Q. I think the Commission would like to know all about it, and I don't see how it can make any difference ?—A. It does not make any difference, because all the points of contention that we had with the men were satisfactorily arranged.

Q. Cannot you tell us what it was ?—A. The trouble we had was over the fact that they would not work with outside men unless all the union men were employed. Frequently in the shipping business you require a large number of men to rush a job through. It frequently is not practicable to send to Vancouver or Seattle. You must have the men here.

Q. What course do you like to pursue ?—A. We like to put on anyone who is competent to do the work, whether they belong to the union or not.

Q. And the union would not stand it ?—A. No.

Q. Have you ever had to refuse jobs on that account ?—A. We have had to send vessels away not properly done.

Q. Can you give us an instance ?—A. One instance was the vessel *Sonoma*. We could not get men. It did not amount to very much, but it is a serious thing to us and the port to have a vessel go away unfinished.

Q. Has that occurred more than once ?—A. Yes, several times.

Q. In different years, or in the same years ?—A. I could not remember the date.

Q. You say it is bad for the port ?—A. It is bad in this respect—that if a vessel is sent to have certain work done, and then has not a satisfactory job done, it means she won't come here again.

HARRY F. BULLEN—Victoria, May 12.

By Mr. Rowe :

Q. Why were these vessels sent away ?—A. From inability to get men.

Q. Although there were men here who could have done the work ?—A. Yes.

Q. But the union would not allow you to employ them because they were not union men ?—A. Yes.

Q. Tell us the story of the contention of the union men, the settlement and the terms on which you are now dealing with them. How did the contention arise, how was it carried on, during what time did it last, and how was it settled ?—A. It occurred in July last year, and I think it lasted about two weeks.

Q. Was it a strike or a lock-out ?—A. The men called it a lock-out; we called it a strike.

Q. What brought it about ?—A. The cause of it was that there were two men named Allan who belonged to the Vancouver union of carpenters, who had been working with the Victoria union on other work in town. They were employed by us to start work at Esquimalt on a certain date. When they came to start work they told us that the union men would not work with them, and I insisted or tried to insist, and sent for the executive officer of the Shipwrights' Union, who came in the office, and I told him that he had driven these two union men away, and that we required them, and if they were not at work by one o'clock they could consider their services not required. He said they had not driven them away, and I maintained he had. When one o'clock came the men were not there, and I told the executive that I intended to carry out what I had said, to call the men off, and they all quit work.

Q. What followed then ?—A. That lasted about two weeks, probably a little less. Then, through the assistance of the Trades and Labour Council, I think, Mr. Twigg and one or two others, we reached an amicable settlement. The principal point in the settlement was the fact that we absolutely maintained the right to use outside men when union men were not available. That was talked over, and after quite a lot of consideration they consented to it. In the meantime the Allans had gone back to Vancouver.

By His Lordship :

Q. Why did they not recognize the Vancouver union ?—A. They had passed some by-law a night or two before without notifying us, but what the nature of that by-law was I don't remember, but it had the effect of barring the Vancouver men out. This covered all outside unions.

By Mr. Bodwell :

Q. In dealing with the Shipwrights' Union what was the course of business, who would you meet and what would be the way in which the business was conducted ?—A. Mr. Twigg came down to our office. He was in the Trades and Labour Council. They acted as a conciliatory body.

Q. What is the Trades and Labour Council as distinguished from the Shipwrights' Union ?—A. I don't think they have any connection at all.

Q. Are they an organization representing all the trades in the city ?—A. I think they represent the Montreal association—the Trades and Labour Council of Canada.

Q. Is that usual for them to interfere as a conciliatory body in case of trouble ?—A. It was not interference. Mr. Twigg came down and asked if we would agree to see him. We told him yes, and we discussed it with him.

Q. And he discussed it with the head of the Shipwrights Union ?—A. Yes, and we had mutual conferences after that.

Q. And the Trades and Labour Council acted as an arbitration board ?—A. They tried to bring us together, and the result of that was a mutual understanding.

Q. Would you think that a permanent board of that kind established here would be useful in connection with labour disputes ?—A. I should think it would, if it would be outside of any influence.

Q. What would be your idea of the constitution of the board? Would you think it well for the employer to appoint a man, the union one, and then a third arbitrator? —A. Yes, I think that would be a good way.

Q. Would you think that a permanent arbitrator would be more useful or less useful than a particular arbitrator appointed from time to time as disputes arose?—A. I should think it would be better to have a judge of the Supreme Court as a third arbitrator.

Q. Why?—A. I think he would be outside of all influence.

Q. Suppose you had a permanent official appointed, would you not think he would be outside of influence?—A. No, he would be under political influence.

Q. If he was appointed permanently and only removable as a judge for cause, would you not think we would be removed from political influence?—A. That would be the same as a judge.

Q. And if he was permanently employed in these matters would he not be a better man than one who only took it up from time to time?—A. Yes, he should be better qualified.

Q. Assuming that you had an independent man, removable only for cause, would you not think that a permanent man would be better than a particular man appointed from time to time?—A. If he was beyond influence.

By His Lordship:

Q. What do you say as to a judge appointing the third arbitrator?—A. I should think under the circumstances it would be better to have a permanent man—a man who would qualify himself for such a position.

Q. Would there be a danger of a permanent official developing a bias of one sort or other?—A. I should not think so.

By Mr. Bodwell:

Q. As a business man do you think, taking into consideration the distinction between different classes of business in which labour disputes arise, that one man would not be able or competent to act as arbitrator in all matters of labour disputes? —A. A think if one man were appointed permanently he could post himself.

By His Lordship:

Q. What do you find to be the disadvantages in dealing with unions?—A. There are some, yes. I think the disadvantage in dealing with a union is the fact that the men don't seem to realize that the employers are entitled to proper consideration; that the union seems to be run too much with the idea of regarding the interests of the men, and that the unions do not appreciate the fact in many branches of business that the interests of employers and themselves are identical, and that they should work in harmony with each other.

Q. You think then they are too much after their own interests?—A. Yes. I don't think the better element in the unions take the active interest they should. I don't think they allow themselves to be bound by the union, but rather that they are not sufficiently prominent in their formation.

Q. Any other disadvantages?—A. I think that is all.

Q. What are the advantages?—A. I think it is an advantage in having a uniform scale of wages and prevents men taking advantage of it. Employers are all on the same footing. If they make a contract, they know what they have to pay the men, and can arrange their figures accordingly.

By Mr. Bodwell:

Q. Do you think there would be so many strikes, if the union funds were made liable for losses occasioned by their taking an improper stand?—A. I certainly don't think so.

Q. You don't know very much about how they manage the finances of the union? —A. No, I don't.

HARRY F. BULLEN—Victoria, May 12.

By His Lordship:

Q. I suppose some strikes are caused by the refusal on the part of an employer to meet his men?—A. Frequently, I think.

By Mr. Rowe:

Q. In this settlement you spoke of, was a written agreement made?—A. Yes.

By His Lordship:

Q. You and your brother met with the heads of the union?—A. Yes.

Q. You did not do it through the foreman?—A. No.

By Mr. Rowe:

Q. This is a year ago?—A. A year ago last July.

Q. In that agreement is any provision made for settlement of subsequent disputes?—A. The agreement sets forth that we cannot constitute a lockout without giving the men on a week's notice, and that they cannot go on strike without giving a week's notice. That their by-laws are not subject to change without six months' notice, and that the agreement remains in force for a year.

Q. No arrangement for arbitration or conciliation, or anything of that kind—to refer the dispute to any one in particular?—A. No; we thought it would cover the ground where we limited the time over a week. In the event of hasty action on the union's part it would give us time to discuss the matter.

By His Lordship:

Q. Do you find that recognition of the union involves the exclusion of non-union men?—A. Yes. All our men are union men with the exception of the labourers. Some of them are and some are not.

Q. You cannot employ a non-union shipwright?—A. No.

Q. That is what is meant by recognition of the union?—A. Yes.

By Mr. Rowe:

Q. Does your agreement read, an agreement with the Shipwrights' union?—A. Yes.

Q. They signed as officers for that union?—A. Signed by the president.

Q. Would it facilitate the making of such agreements if such unions were incorporated?—A. I think so.

Q. Would it increase the sense of security on the part of the employer?—A. We would feel that we were making an agreement with a more responsible body.

Q. As it is now, you are without any recourse at law?—A. Yes.

By His Lordship:

Q. Is the agreement drawn up between you and the Shipwrights' Union as the Shipwrights' Union?—A. Yes, between the union and signed by the president of the union.

Q. Who would you sue in the event of difficulty?—A. It is just a written understanding between ourselves.

Q. You might find you had entered into an agreement with a shadow?—A. It is only the moral strength.

By Mr. Bodwell:

Q. They usually keep to their written agreements?—A. They always have with us. Any understanding come to is always carried out. This was the first written agreement we have had.

By Mr. Rowe:

Q. You heard the evidence in regard to the boilermakers. You don't know whether this shipwrights' union is subject to authority similar to that?—A. This is a

purely local union—purely Canadian. They are affiliated with the Trades and Labour Council.

Q. Would the fact that it is not international make you feel more secure in your agreement with it?—A. Yes.

By His Lordship:

Q. They are entirely masters of themselves?—A. Yes, with the exception of the Trades and Labour Council.

Q. You would sooner deal with a union that is not a member of an international federation?—A. Yes.

SIMEON LEISER, sworn:

By Mr. Bodwell:

Q. You carry on business in Victoria?—A. Yes, sir.

Q. You also have businesses established at Comox and Ladysmith?—A. Yes.

Q. For how long a period?—A. At Comox for twelve years, and at Ladysmith for about two years now.

Q. Have you had any experience with strikes at Comox while you were carrying on business?—A. No.

Q. The only strike has been at Ladysmith?—A. Yes.

Q. Can you give us any idea of the general effect on business conditions, in regard to your trade, occasioned by the strike?—A. It has a very bad effect on trade. Where we were doing a good business at Ladysmith previous, we don't do more than half at the present moment.

Q. Have you any objection to giving us fully the figures before and after?—A. I don't like to give the figures.

Q. The falling-off is how much?—A. The falling-off from here, from the wholesale business at Victoria—business done with Ladysmith since the strike, the jobbing business has fallen off $50,000.

Q. And the retail business between the merchants and the men?—A. That has fallen off 25 per cent.

Q. What is the effect on collections?—A. Collections up there, direct with the men, are about in the same proportion—25 per cent less in the last two months than in the two previous.

Q. If the strike should continue for several months, would the merchants be in danger of making permanent losses on goods already sold on credit, never getting the money at all?—A. If the strike continued, I think they would.

Q. That is to say, there is no way of getting paid unless the men are working, and if the men leave it is a total loss?—A. Yes; it cannot be otherwise.

Q. Do you know what particular businesses are most affected by a strike such as the one now being carried on at Ladysmith?—A. Every kind of business is affected, but the principal one is the grocery business, because they have got to eat. At the present moment trade is very bad up there since the first of May.

Q. Can you give us any way of forming an estimate of the general condition of trade in the country—how it has been affected by strikes in the last year. The strike at Fernie, the strike this spring at Vancouver, and now the strike at the Wellington Colliery Company's mines. Can you give us any idea of the effect?—A. The trade of the province has been disastrous. The Fernie strike, when it took place, it was simply fearful. The whole business of the Kootenays fell right out. Some of the houses called their travellers back—some of the Victoria houses.

By His Lordship:

Q. Have you any branches in Vancouver ?—A. No.

Q. Have you made any estimate of what the effect of the strike at the Wellington colliery has on the wholesale trade of Victoria ?—A. It has a very big effect.

Q. In figures ? It would include the sale to the retail stores, the company and the men living at the mines ?—A. The trade has fallen off 50 per cent. For instance, there is Ladysmith—the Wellington Colliery Company. I suppose their pay-roll monthly is a large one.

Q. How much ?—A. Probably in the neighbourhood of $70,000 to $75,000 a month. That money is all paid out at Ladysmith.

Q. How much is represented in the trade of Victoria for the next month ?—A. A good deal of it. Not as much as 50 per cent. I think 30 per cent.

Q. Something like $25,000 a month lost to Victoria. I want to know what amount per month is lost to the merchants of Victoria by virtue of this strike ?—A. I think, with supplies and everything, it would run close to $50,000 since the strike.

By Mr. Bodwell:

Q. Do you know how much is allowed to the men on strike ?—A. No; I did not find that out.

Q. It gives a man barely enough to exist ?—A. Hardly that. Some have got to get along with very little.

Q. Take the Rossland strike that was in 1902, the Fernie strike this year, and all these others, can you give us an estimate as a business man of the percentage of loss to the whole country by these three strikes ?—A. It is an enormous loss.

Q. What percentage ?—A. Per month ? I could not tell unless I figured it out. I could get it all right. I will try and get it.

By His Lordship :

Q. Do you know of any business failures ?—A. There are always business failures during strikes. A good many of the storekeepers can't stand it out. Their payments are due, and there are no receipts. If the men have no work they cannot pay. Unless the man who carries him is willing to carry him he has got to give in.

Q. He does nothing to bring about a strike, and cannot do anything towards settling it ?—A. Yes.

Q. He has to make a loss ?—A. Yes.

By Mr. Rowe:

Q. I suppose you have a list of delinquent debtors, men who attribute their insolvency purely to the strike ?—A. Oh, yes.

By His Lordship:

Q. What do you say as to settling strikes ? What would you advocate as to that ?—A. I am sure I don't know. I am pondering a good deal over it, but I have found no solution of it.

Q. What do you say as to compulsory arbitration ?—A. I think the government has to do something to settle these strikes.

By Mr. Rowe:

Q. You think there should be government intervention ?—A. I am positive.

By His Lordship:

Q. Suppose the parties are unable to agree on a third arbitrator—how should he be appointed ?—A. I think if they appointed a business man——

Q. But suppose the arbitrators are unable to agree upon the third man ?—A. Then they should appoint an independent man.

SIMEON LEISER—Victoria, May 12.

Q. But supposing they are unable to agree upon an independent man, who should appoint that man, the government or the court ?—A. I think the government—the Dominion government.

Q. Somebody down there would have to know a good deal more about British Columbia than most of them ?—A. They should appoint a man out here who knew something about conditions.

By Mr. Bodwell :

Q. Your idea would be to get the appointment away from local influences ?—A. Yes.

Q. Your idea would be to get some man in the province ?—A. Yes.

Q. Would you make him a permanent officer ?—A. Sure.

Q. Whose business would be to consider questions of labour and post himself thoroughly on these questions ?—A. I am in favour of the government appointing a business man, because there are lots of business men who have good common sense, and are able and capable of settling these matters, and sometimes accomplish more than others.

Q. Supposing him to be a man of fair ability, he will be able to post himself in a short time, and you think good common sense would be the best equipment he could have ?—A. Yes.

T. H. TWIGG, sworn, recalled.

(Witness produces and identifies copy of Constitution of American Federation of Labour—Exhibit E. List of organizations affiliated with American Federation of Labour—Exhibit F.)

By His Lordship :

Q. The American Federation of Labour is not incorporated ?—A. Not that I know of.

Q. Can you tell us whether the International Typographical Union is incorporated ?—A. No, it is not incorporated.

Q. Do you know whether the members of that organization have to take an oath ?—A. They take an obligation.

Q. Do they take an oath ?—A. How would you interpret an oath ?

Q. Is an oath administered to them—is the name of the Almighty used ?—A. No, I don't think so.

Q. I should think a man would know what an oath is. There is an obligation taken to observe the rules and regulations ?—A. Yes.

Q. You are the local organizer of the Dominion Trades and Labour Congress ?—A. No, I am on the executive of the Trades and Labour Council of British Columbia, and local organizer for the American Federation of Labour.

Q. And as local organizer what are your duties—to secure the affiliation of local bodies ?—A. Not necessarily. To organize workmen into unions.

Q. Your duty is to organize men into unions, but not necessarily to affiliate these men with the American Federation of Labour ?—A. Not necessarily.

Q. Are you paid a salary for that ?—A. No. Some of the international unions allow a commission, but so far as I am concerned I have never used it for my own personal use.

Q. Some of the international unions give a commission ?—A. Yes.

By Mr. Rowe :

Q. The typographical union has a benefit fund ?—A. Usually the local unions form benefit funds. For instance, Ottawa has. They have a sick fund and provide for the burial of the dead.

Q. Have you any institutions ?—A. We have a home in Colorado Springs for infirm printers.

Q. That is supported by assessments ?—A. Supported by the membership.

Q. On permanent assessment ?—A. Yes.

Q. Did you organize a good many of the local unions here ?—A. Yes, I have organized quite a few.

By His Lordship :

Q. How many ?—A. I was just looking it up. I organized seventeen, fourteen in existence to-day.

Q. Would you mind telling us what the nature of the occupations is ?—A. They are mostly all in the trades.

Q. Did you get up the boilermakers' ?—A. No, they are an old organization. I organized the boilermakers' helpers.

Q. You say you don't get any commission ?—A. Sometimes I receive a commission, but I don't use it personally, and as a rule turn it over to the union.

By Mr. Rowe :

Q. The organizer gets so much of the charge made for the charter ?—A. Sometimes you may deduct it, and sometimes it is sent to you.

By His Lordship :

Q. Did you organize the shipwrights ?—A. No, that is an old organization. The shipwrights' was a local organization until about a year ago, and then they took out a charter from the Dominion Trades Congress.

Q. Are all the bodies you organized connected with the Dominion Trades Congress ?—A. No, only two, I think.

Q. So far as the trade unions that you know of in British Columbia are concerned, they are more closely related to international unions than to the Dominion Trades Congress, are they not ?—A. There is a difference between an international union. The Dominion Trades Congress will not issue a charter to a local if there is an international. They will affiliate with the local union, but won't issue a charter.

Q. And then it yields the ground to international unions ?—A. Oh, yes.

By Mr. Rowe :

Q. The natural thing would be to look upon it as a Canadian equivalent to the American Federation of Labour ?—A. It is looked upon as a sister organization.

By His Lordship :

Q. You mean it won't issue a charter to an international union where there is one already in existence, so that they will be forced to join the international ?—A. Not forced exactly.

Q. Supposing a union was organized in a trade in which there was an international. Am I to understand that the Dominion Congress would not recognize it unless that was so ?—A. I have an instance. We have a local union, and I wrote to Mr. Draper, and he said that while he could not charter the union he would affiliate. I rather question his decision.

Q. Then, if they would not charter it, could this lodge be represented in the Trades Congress ?—A. It could not. According to that decision, affiliation would give it full representation, as I understand it.

Q. It would be a queer thing if you could not join the Dominion Congress unless you joined an international union?—A. There are a great many unions, while they belong to an international, also are affiliated with the Trades Congress.

By Mr. Rowe:

Q. I can hardly understand them being excluded from the Dominion Congress unless they join the international union?—A. The Dominion Congress is more of a legislative nature.

Q. So, the Canadian unions are virtually forced to join an international organization, or else stand by themselves?—A. They are not forced into joining.

Q. They have to stand by themselves, unless they do that?—A. Yes.

By His Lordship:

Q. Would it meet all legitimate demands of labour, if Canadian organizations were by themselves?—A. You mean, to create a national union?

Q. Confine members to Canadian organizations?—A. I would not give much for Canadian trade unionism in three or four years.

Q. Why?—A. Not sufficient strength.

By Mr. Rowe:

Q. Having a national organization would not remove the possibility of affiliation with international organizations?—A. I don't see any benefit to be derived.

By His Lordship:

Q. The benefit would be you would not have to run the fear of having scab labour introduced; if you affiliated with the American organization, that would protect you against scab labour?—A. That is provided for now.

Q. On the other hand, if you were only affiliated, but not incorporated into their bodies, you would be better able to control yourselves—you would be completely autonomous, would you not?—A. I have not thought of that part of it. I suppose we would.

Q. I understand the chief object is to protect yourselves against the influx of scab labour during strikes?—A. No, I don't think that is the only reason. For instance, if I were to leave here and go to 'Frisco and Seattle, I have no trouble. I simply take my travelling card.

Q. But you could get that condition by simply being affiliated?—A. I suppose such an arrangement might be made.

Q. And, on the other hand, you would not have the disadvantage of being subject to the control or direction of the Americans?—A. Well, I question it.

Q. We have had a very speaking case of control, in the matter of the *Garonne*, by the organization or headquarters in Kansas City—A. That was a muddle anyway, and no one just exactly understood it.

Q. But that difficulty might arise any time with international unions?—A. They might also arise with national unions.

Q. How?—A. Supposing we had trouble in Vancouver, and that boat was sent over there. The trouble would be in Victoria, even if they were national. If Vancouver gave trouble with the *Garonne*, for instance, and she was sent over here, she would be unfair in Victoria.

By Mr. Rowe:

Q. Then the national organization would decide the question?—A. Yes.

By His Lordship:

Q. You think it makes no difference where your headquarters are, whether at Winnipeg, Ottawa or Kansas?—A. No.

THOMAS HENRY TWIGG—Victoria, May 12.

By Mr. Rowe:

Q. The relationship between the locals of the Typographical Union in British Columbia is just the same as in Washington State—not district union?—A. Not in British Columbia. I believe there were districts, one in the west, at one time. I am not quite sure.

Q. What is the exact conformation of the Trades and Labour Council?—A. The Trades and Labour Council is composed of delegates from the different unions composing it. They meet and discuss matters pertaining to the welfare of organized labour and working-people generally. That is about as close as I can make it.

By Mr. Rowe:

Q. There cannot be admitted to that any order except such as hold charters from some recognized union?—A. That was a recent amendment to the constitution, that a union must belong to the international of its trade, if such exists. If not, they must take out a charter from the Dominion Trades Congress, or else it is denied representation at the Trades Council.

Q. The members of that union would not be regarded as union people?—A. Oh, yes, they are regarded as union people.

Q. Suppose there was a local organization of the same craft. Suppose the city were large enough for two, and one affiliated with the international and the other chose to stand alone. Would the latter be considered as alone?—A. It would be considered a clandestine institution.

Q. And the members would not have the right to join the Council?—A. No, I think not.

Q. Do you think that the right to use the label and to have the label registered by all the incorporated unions, and only by them, would be an inducement for unions to incorporate? Suppose a union under certain conditions could have its label registered, would not more unions avail themselves of that opportunity?—A. I don't know how you would arrange it. Would it be under Designs and Trade Marks Act? What would you do with the international label? I think at one time the Toronto Typographical Union was incorporated——

Q. The suggestion might be that only national labels would be registered and protected?—A. I don't think that is altogether fair. I think the label is the workmen's trade mark, and should be afforded all the privileges of other designs, without imposing more conditions than are imposed on others.

Q. Of course, the difference is, I suppose, that it is thought that in order to use the label, the shop has to submit to conditions imposed, and the terms upon which the labels are granted may be changed from time to time, and incorporation would protect the employer against that possibility?—A. The employer now makes a voluntary agreement that he shall follow out certain rules laid down by the union, and he is granted the use of the label on the strength of that. It is rarely that there is ever a violation on the part of the union. I have known of none.

Q. Do you think the use of the label is a protection to the public in any way?—A. Yes, I think it is a protection. It guarantees, in the first instance, that the goods are made under conditions in which the men are receiving a just remuneration for their wages, and a guarantee that they are made in sanitary places.

By His Lordship:

Q. The advantage of the international is that it has more power than any national organization?—A. Yes; that is one reason.

Q. Greater strength, owing to its greater numbers?—A. Yes.

Q. Do you think that compensates for any disadvantage that the control is virtually lodged in the States?—A. I hold a different opinion as to the control exercised in the United States; and, as for the national feeling, I think trade unions are doing more to bring about a friendly feeling than any other movement.

Q. You think these organizations have a tendency to make good friends ?—A. Yes, to make things friendly.

Q. When you say the *Garonne* affair was a muddle, what do you mean ?—A. As far as I understand it; it was pretty hard to find out how it stood.

Q. It was pretty hard on Canadian people that they should have been driven from working by directions from Kansas City. The men were willing to go to work ?—A. Yes, the job was declared fair. I don't know a great deal about that. It was so long ago, and I did not take a very active part in it.

By Mr. Rowe:

Q. So far as you know, in these unions is there any objection to the members being members of the militia ?—A. Not in any of the unions in this city.

Q. There are, as a matter of fact, a great many men in the militia ?—A. The Musicians' Union comprises the 5th Regiment band, and that band is militia.

Q. There are no restrictions, as far as you know, against the militia ?—A. I believe there are some unions, but not in the city.

By His Lordship:

Q. What unions have you in mind—the Western Federation, for instance ?—A. I don't know whether that institution is or not. There was a time when the Painters' Union had some difficulty, but I believe that law was rescinded.

By Mr. Rowe:

Q. Does that not prevail more across the line ?—A. Almost entirely, I think.

Q. Is it more marked with a union affiliated with the American Labour Union or more with the American Federation of Labour ?—A. I would not like to say as to that.

By His Lordship:

Q. The Western Federation of Miners is a socialistic organization, is it not ?—A. I have heard it said that they have declared for socialism. Whether it was done by referendum vote or in convention, I do not know. I believe the American Labour Union has declared for socialism.

By Mr. Rowe:

Q. The socialistic newspapers are mostly endorsed by trade unions, are they not ?—A. Not all of them. There is a certain amount of jangling all the time between them.

By His Lordship:

Q. A man may be a good trade unionist and a poor socialist ?—A. Well, I don't know. I think every good union man has certain socialistic principles—a certain amount of socialism. There are so many kinds advocated.

By Mr. Rowe:

Q. Generally speaking, that means collective ownership ?—A. That would be one of the planks.

By His Lordship:

Q. Of all property ?—A. Not all property—mines, street cars, waterworks, and so on.

By Mr. Rowe:

Q. Natural monopolies, we will say ?—A. Yes.

VICTORIA, May 13, 1903.

ARTHUR BENJAMIN BULLEY, sworn :

By His Lordship :

Q. You are the president of the British Columbia Steamshipmen's Society ?—A. I am the president of this division.

Q. How many divisions are there ?—A. One in Vancouver and one in Victoria at present.

Q. Are you incorporated ?—A. Yes, under the Friendly Societies Act of British Columbia.

Q. How long has it been organized ?—A. Well, I forget the exact date. I have not my books here. I believe our secretary has a book which will give that. The secretary has also the constitution.

(Copy of constitution put in. Exhibit G.)

Q. Is it a secret organization—do you take an oath ?—A. Yes.

Q. Is the oath there ?—A. No, sir.

Q. What sort of an oath is it ?—A. It is only an ordinary oath to protect us in our meetings—the same as any other fraternal society.

Q. Each member to stand by the other ?—A. Well, yes; much on the same principle as a friendly society.

Q. Not to reveal the transactions at the meetings ?—A. Yes, we are not supposed to reveal any transactions.

Q. Under what authority ?—A. I suppose our original constitution.

Q. Under the Friendly Societies Act ?—A. I could not tell you as to that.

Q. Can you give us a copy of the oath ?—A. No, sir.

Q. Have you a copy anywhere ?—A. We have none bound, but I could not do so without the consent of our members.

Q. What objection is there to showing the Commission the nature of the oath ?—A. I should not feel justified as a member of the society in doing anything contrary to the wishes of the society itself.

Q. But you are revealing none of the proceedings—you are simply informing the Commission of the nature of the oath ?—A. As I said before, it would be much the same as any fraternal society. All fraternal societies have oaths similar to this one, and I don't know that they would care to hand over the inner workings of the society. Take the Orangemen or the Masons—none of their oaths or ritual would be produced if they could possibly help it.

Q. You understand that you must produce that oath if we require it. How many men are in the society ?—A. About 160 in the Victoria division.

Q. What classes of labour does it include ?—A. Oilers, water tenders, firemen, trimmers, sailmakers, watchmen, lookouts, deckhands, quartermasters, paint scrubbers, and may, according to our constitution, take in cooks and stewards.

Q. It does not include engineers ?—A. Yes, and the firemen, oilers and water tenders.

Q. There is a strike on at the present time ?—A. Yes.

Q. The members of this organization are now on strike ?—A. Yes.

Q. For whom are they refusing to work ?—A. For the Canadian Pacific Navigation Company, and also Mr. Dunsmuir's boats, the E. and N. Company, I believe, and any other vessel propelled by steam that may be chartered in the carrying of unfair freight or baggage.

Q. What do you mean by unfair freight ?—A. Freight that has been handled by unfair labour, or substitute labour. Labour used in the place of men who may be now on strike.

Q. Why have these people gone on strike ?—A. You are speaking of our society ? Well, in consequence of a broken agreement.

Q. What agreement is that ?—A. With the C. P. N. Company. They agreed that they would not carry unfair freight or baggage or would not handle coal for the Empress boats.

Mr. BODWELL.—That agreement is in writing—it will speak for itself.

By His Lordship :

Q. Who has the agreement ?—A. It is in our hall on file. I could not say the precise day it was entered into. It was entered into by Captain Troupe himself on board the *Charmer*. Our demands were made to him soon after the men came out in Vancouver. They agreed to them. In an interview with Captain Troupe he told Mr. Thompson and myself that he did not intend to carry anything unfair, and that any time that he put such stuff on the boat he would expect the men to quit. When he did so, they did quit. The agreement was voted on by the union and the terms accepted. The next Saturday night unfair stuff was put on the *Princess May*, and the next Monday there was unfair stuff on the *Princess Louise*, which caused a strike. I might say, it passed the unanimous vote of the union that the agreement was being broken.

Q. What is it to the Steamshipmen's Society what goes on between the C. P. R. and its men ?—A. Simply that there is a union law among union men that one man will not act unfair to another. There is an understanding among all labour men.

By Mr. Rowe :

Q. You call this a sympathetic strike ?—A. Hardly. If Captain Troupe had not broken this agreement we should have carried it out.

Q. You would have struck if he had not made an agreement ?—A. Well, we might have, yes. This agreement was the foundation of the strike.

By His Lordship :

Q. How long have you been out ?—A. I think since March 16. Is not that the date ?

By Mr. Bodwell :

Q. Yes, March 16 or 17. Your places have all been filled ?—A. Not to my knowledge. The boats are running. I have not bothered myself how they are running. I have kept away from it to avoid trouble.

By His Lordship :

Q. How long are you going to stay out ?—A. Until such time as the company are prepared to carry business.

Q. Going to stay out as long as they carry scab freight ?—A. Yes, sir.

Q. Who is going to support the men ?—A. Partly done by subscription.

Q. Among themselves ?—A. From outside sources, other unions.

Q. What other unions ?—A. A number of them, the local unions in Victoria, and from funds that have been paid into the advisory board at Victoria.

Q. Subscriptions come in from other unions—as for instance ?—A. The Carpenters' Union in Victoria, Bricklayers, Cigarmakers, Typographical union, and so on.

Q. Before you get subscriptions from these people you lay the case before them ?—A. Yes, the case has been laid befor them.

Q. Not before you inaugurated the strike ?—A. No, sir. After the strike was inaugurated we laid the case before them.

Q. And if they see fit they subscribe ?—A. Yes.

Q. And you would be expected to do the same thing ?—A. Whether they helped us or not, we certainly would not work unfair—I would not for one. There may be more unions that have subscribed, but I have only just quoted a few from memory.

Q. Does it make any kind of difference what union it is ?—A. No, I don't think that it does.

Q. In this case you are really striking in sympathy with the U.B.R.E. ?—A. It might be placed in that light.

Q. Is there any organization with whom you would not strike in sympathy ?—A. Not that I know of, if the case was brought before them, that is, if our work was in any way affected. Suppose the bakers were on strike, and the thing was really local and did not affect us at all, and we could not benefit them by striking, or it would not be unfair in our business, it would be foolish to strike. Although we might refuse to eat the bread which was baked by the unfair men.

Q. Suppose all the unions of the town struck in sympathy with the U.B.R.E., what would be the effect ?—A. I don't know that I am well enough posted to say.

Q. Where would they get any money to subsist on ?—Of course that is taking the conclusion out pretty far. The unions that have struck at present are only those concerned with the freight and transportation business.

Q. What other unions have struck ?—A. Local 211 of the International Longshoremen's Union, Vancouver, and the Teamsters' Union in Vancouver. These are the other two besides our society.

Q. What is the advisory board ?—A. The advisory board is a board composed of members of the different unions represented on the Trades and Labour Council of Vancouver.

Q. Have you any men in your union employed on other boats besides those of the C.P.R. ?—A. Yes, on different boats. I could not name them all. The steamer *Victoria* was manned by members of our organization.

Q. I suppose under your agreement that boat could not handle any C.P.R. stuff ?—A. Not if we knew it.

Q. So far as your strike is concerned, I suppose you know little or nothing of the merits of the strike ?—A. Oh, yes, that was thoroughly gone into. We heard the evidence and endorsement of both the U.B.R.E., and of the Longshoremen's Union, and the Teamsters' Union, and also of the Vancouver Trades and Labour Council, and the Vancouver Board of Trade.

Q. You did not hear anything from the other side ?—A. As a rule we would not go to the company for information.

Q. So you really only heard one side of the case before you concluded to strike ? A. I suppose that is right.

Q. And it makes no difference whether the U.B.R.E. were right or wrong, you would strike anyway ?—A. It is fair enough what they ask, that they should not be discriminated against by belonging to this union. That is all they ask.

Q. What do you say to the right of the C. P. R. to employ non-union men ?—A. I don't see anything against it.

By Mr. Rowe :

Q. What do you understand by recognition of the union ?—A. Suppose Mr. Marpole or Captain Troupe had any business with us at all, he would recognize the union.

By His Lordship :

Q. That means the exclusion of non-union labour sooner or later ?—A. I cannot put it in those terms. If a non-union man goes and works anyway among non-union men, then it is a foregone conclusion that they will get him to belong to the union.

Q. Suppose he stands out, would the men consider they were working with an unfair man ?—A. Most positively.

Q. Practically the recognition of a union involves the exclusion of non-union labour ?—A. Yes, as far as I see, I guess it amounts to that.

By Mr. Rowe :

Q. Supposing your union was working with non-union men; there was a committee to deal with the management. Would you permit non-union men to co-operate with your committee in approaching the management ?—A. Well, that would all depend. If it was in such a case that we had no jurisdiction over these non-union men, I don't see anything to hold us. But in most cases, when all the men were union men, it stands to reason that an outsider would be looked on with suspicion.

Q. Are there any other unions that have men working on the C. P. N. boats ?—A. None except the longshoremen here.

Q. Why didn't they go out ?—A. That is a matter for themselves. I could not say. There is a Master Association of Marine Engineers and Mates Association. Neither of these have come out.

Q. Are they unfair in working on unfair boats ?—A. That is for them to decide. As far as we are concerned, they are. The engineers are really the aristocrats of unionism. They are the masters—we are the men that work under them. There is very little in common between them.

Q. Are they represented in the Trades and Labour Congress ?—A. No, sir.

By His Lordship :

Q. The engineers are among the natural enemies of the union ?—A. So to speak.

By Mr. Rowe :

Q. What are your dues ?—A. Seventy-five cents per month. That is placed in the treasury for running expenses, &c.

Q. The whole of your society is out on strike ?—A. Yes—the Vancouver branch.

Q. Suppose an organizer came along from the other side and wanted to start a new society, and the labour people refused to recognize it, would that be ground for walking out ?—A. If it was practically in opposition to our society as now constituted, we would not consider it at all. It would be only stirring up strife.

Q. Does a man sometimes belong to more than one union ?—A. We have men in our society belonging to the Longshoremen's Union, and in one instance one of our men belonged to the Bricklayers' Helpers' Union.

Q. In your union do you dictate as to what work the men shall be put at ?—A. No, a man is put in for certain work—whatever he is fitted for. No dictation.

By Mr. Bodwell :

Q. It is in the first page of the constitution the men who can belong to the union ?—A. At present, but provision is made in our constitution to take in those men who are not represented now.

By His Lordship :

Q. What stand does your organization take on the question of boycott ? Do you approve of the boycott ?—A. It depends on what is meant by boycott. It has never been brought up to us yet in the way of boycott.

Q. Have you pickets out ?—A. No, sir.

Q. There have been cases during the present strike of men being assaulted by members of the union ?—A. Yes, sir.

Q. How many cases ?—A. Three, I believe.

Q. Cases of assault by members of the union ?—A. Yes. In one case a half-breed that had got into the union and was begging for drinks. That was not recognized in the union and he got expelled. Another case was of a man in the California Hotel. A man said he had scabbed in other places, and he was going to scab here. It was really a bar-room fight. The other case was between a man named McBride and Snider brothers, I believe. There was some dispute on the street, and it ended up in an assault. But otherwise there has been no trouble whatever.

ARTHUR BENJAMIN BULLEY—Victoria, May 13.

Q. Were any of the men impeded on their way to work ?—A. Not that I know of. We may have stopped and talked to a man on the street, the same as I might talk to you. No threats were made. In fact, any man who gets into trouble by that reason is immediately expelled from the union.

Q. Is there any clause in the constitution against intimidation ?—A. None that I know of.

Q. What dues are you required to pay ?—A. Seventy-five cents a month, and $5 initiation fee. He is given a chance to pay that.

Q. A fraction of that goes into the Trades and Labour Council ?—A. Their dues amount to so much from each member per quarter. Just what it is I am not prepared to say.

By Mr. Bodwell :

Q. Did you expel McBride ?—A. No, sir.

Q. The union put up McBride's bail ?—A. Only partly.

Q. You were in the police court and heard the evidence in that case ?—A. Yes, sir.

Q. And you heard it sworn to, and not contradicted, that McBride and a number of others were on the street corner ?—A. I beg to differ. McBride and the two Sniders were alone. We think they were not on the street corner.

Q. And that these two Sniders were two men who were employed by the C.P.N. to take the places of others on board the *Danube*. That all three were out, that McBride said there was a strike, and that they said they were going on board the *Danube*. You heard McBride go into the box—he did not deny the words he used ?—A. To the best of my recollection, no.

Q. The union paid his fine ?—A. Yes.

Q. Would you have paid the fine of the other man in the California saloon, Alexander McKinnon ? The union went his bail ?—A. No, sir.

Q. They did not put up his bail ?—A. No, none was asked.

Q. Are you sure about that. He was brought and remanded for a week ?—A. Not that I know of. He was not remanded at all.

Q. He was remanded for several days on the first appearance, don't you remember that. Don't you remember you yourself came forward ?—A. Only in the case of McBride. I am sure I did not give any bail for McKinnon.

Q. If McKinnon had been fined, would the union have paid the fine ?—A. Under the circumstances, I believe they would.

Q. You had pickets out on the wharfs and on the streets ?—A. No one on the wharfs.

Q. The police were there to protect the men on the wharfs. They had to have police protection to keep the men off the wharfs ?—A. I don't know what they thought. It was against none of the union.

Q. Sheff Thompson is secretary of your union ?—A. Not at present.

Q. At the time of the strike ?—A. No, sir. He is agent and recording secretary. The man who does all the business is my brother.

Q. Was he not ordered off the wharf by Captain Troupe ?—A. No, sir.

Q. Don't you know the reason there were no more assaults was on account of the representations made by the C.P.N. Company to the police force, and they were obliged to watch your men carefully ?—A. No, sir. I say I know nothing about it.

Q. You won't deny it is the fact ?—A. I know nothing about it. I have no personal knowledge at all of the fact.

Q. This U.B.R.E. is an American institution ?—A. Yes, headquarters at 'Frisco.

Q. And when this strike was called in Vancouver, it was for recognition of the U.B.R.E. ?—A. A strike for the life of the union.

Q. The fact was that the cause of the strike was for the U.B.R.E. to be recognized ?—A. No, sir.

Q. Did you ever say so—it was not a strike for recognition ?—A. No. The C.P.R. was discriminating against the members of the U.B.R.E., and they asked that it be stopped. They refused to take any notice of it, and they went on strike.

Q. When Mr. Estes was tried, it was not treated as a strike for recognition—you say that ?—A. Yes, sir.

Q. Mr. Estes was brought here from the other side—from San Francisco or Portland ?—A. He was not brought here at all.

Q. Didn't you hear Mr. Brookes say that ?—A. No, sir.

Q. Say in the police court that Mr. Estes was invited to come since the strike ?—A. I have no knowledge of the inner workings of the U.B.R.E. more than you have.

Q. Didn't you make a trip to Vancouver to investigate this subject ?—A. Yes, sir.

Q. And you did not acquire any knowledge of the U.B.R.E. ?—A. I had no need. I had conversations with Mr. Estes.

Q. What I want to get is the fact that Mr. Estes came here and stayed in this country ?—A. Yes.

Q. And he made his headquarters in Vancouver ?—A. Yes, he was there.

Q. And he was a member of the headquarters committee ?—A. To the best of my belief.

Q. Don't you know it as a fact ? Didn't you talk to him as such ?—A. Yes, I talked to him.

Q. And you went over for the purpose of inquiring into the strike situation ?—A. Yes.

Q. You knew Mr. Estes came down here Monday—he arrived here about nine o'clock in the evening, and the seamen's strike was called about eleven o'clock that night—that is right ?—A. It was called that same night.

Q. He stayed here for some days, and then the investigation in the police court went on, and there was an adjournment of that investigation from Thursday until Monday ?—A. Yes, sir.

Q. And Mr. Estes went to Kamloops, up the line of the C. P. R. ?—A. I was not posted on Mr. Estes' movements after he left here. I know it was different points along the line, but where I do not know.

Q. For the purpose of stirring up the strike ?—A. I don't know that I did.

By His Lordship :

Q. What other purpose could Mr. Estes have for going up the line ?—A. I cannot tell about all that. I want to tell the whole truth, but Mr. Bodwell and I have been together before.

Q. You are expected to tell the truth as far as you know it ?—A. He may have gone up there, of course, to visit the other unions that were on strike, but for me to swear that he went to extend the strike, is something I cannot do.

By Mr. Bodwell :

Q. Don't you know, as a member of the Seamen's Union, that that was the business he had ?—A. I don't know. As president of the U. B. R. E., he could have gone up and visited any union that was on strike.

Q. Didn't you see some of the inflammatory circulars he was issuing at that time ?—A. I don't know of any.

Q. You don't know that he issued several inflammatory circulars at that period ?—A. No.

By His Lordship :

Q. Did he issue any circulars—without the 'inflammatory' ?—A. I don't know that he issued any circulars at all. There was a daily bulletin of the progress of the strike sent over from Vancouver.

ARTHUR BENJAMIN BULLEY—Victoria, May 13.

By Mr. Bodwell :

Q. Didn't you see the documents issued by Mr. Estes over his own signature ?—A. No, sir.

Q. You would be surprised if you saw a copy of these ?—A. I believe I would.

Q. At first your union here did not want to strike. They were requested by the Vancouver union to come out, and did not want to ?—A. Not without sufficient cause. We wanted to know what we were going out for.

Q. You refused for a considerable time ?—A. Until we had just cause.

Q. You made several trips to Vancouver ?—A. Yes, sir.

Q. And you yourself were not favourable to the strike ?—A. Not if it could be avoided.

Q. The strike you were asked to bring about was one to assist the U. B. R. E. in Vancouver ?—A. I don't know that we were asked that.

Q. Don't you remember Mr. Thompson, president of the Vancouver branch, and really the president of the whole society—don't you remember him stating in the police court that this was a sympathetic strike ?—A. I don't know—I was not present. I don't remember his saying that.

Q. Is it not a fact that the real purpose of this strike here was to assist the U. B. R. E. strike in Vancouver ?—A. No, I cannot look at it in that light.

Q. And the excuse for the strike was the fact that you found two or three pieces of scab freight on the *Charmer* on March 16 ?—A. We had a boat-load of scab stuff on the *Charmer* on the Friday before.

Q. I am talking about the 16th ?—A. But the 16th had nothing to do with it.

Q. Was it not a matter of fact that there were two or three pieces on Monday ?—A. On the *Princess Louise* several tons. Several tons, I should think—unfair stuff.

By His Lordship :

Q. Why was that freight scab freight ?—A. It was handled by unfair teamsters.

By Mr. Bodwell :

Q. The U.B.R.E. got the teamsters out in Vancouver ?—A. I don't know anything about that. I know they were out. As far as the best of my belief goes, they were out because they would not handle unfair stuff.

Q. They were requested by the U.B.R.E. to come out—did not you find that out ?—A. No, I didn't find that out. It is impossible for me to know that the teamsters went out at the request of the U.B.R.E.

Q. Do you mean to tell us you don't know why the teamsters had gone out before you went on strike ?—A. I cannot say that they were requested by the U.B.R.E.

Q. Was not the headquarters committee formed in Vancouver ?—A. Yes, I believe there was.

Q. And were there not at least thirty organizations on strike and represented on that committee ?—A. Oh, no.

Q. Didn't Mr. Estes say so ?—A. I don't know.

By Mr. Rowe :

Q. Is that the advisory board ?

By Mr. Bodwell :

Q. No, it is the headquarters committee. That committee was composed of different unions on strike, and there were representatives of the teamsters there ?—A. Yes.

Q. And you had several consultations with that committee ?—A. Yes.

Q. And you mean to tell us that you didn't know why the teamsters went out ?—A. They were out in connection with the strike. I cannot swear they were out because Mr. Estes called them out.

Q. The men on strike were members of the U.B.R.E. ?—A. I don't know that they were in all cases.

Q. Did the longshoremen go out before the U.B.R.E. ?—A. No, sir. There were several non-union men came out.

Q. How many non-union men came out ?—A. I cannot tell you that. I don't know how many.

Q. Will you suggest that the non-union men were out in sympathy with the U.B.R.E. ?—A. I will swear that they did not come out at the request.

Q. You mean you don't know ?—A. No.

Q. Can you give us any further reason why they should come out ?—A. Yes, that the men they were working with, freight handlers, &c., they would consider that these men's interests were identical with their own, and would affect the members of the U.B.R.E. as men employed in a like capacity would also affect them.

Q. How could a grievance of the U.B.R.E. affect non-union strikers ?—A. What would work against the union men would work against them too.

Q. You say that the objection of the U.B.R.E. men was that their members were being dismissed. How would that affect the non-union men ?—A. They would not want to work under unfair men.

Q. How can the word unfair affect a man who is not a member of a union. He is an unfair man if he is not a member of the union ?—A. I suppose we may look at it that way.

Q. You say the non-union men struck in Vancouver because they would be unfair if they did not strike. Is that right ?—A. Well, I don't wish to give my answer in those terms. I do work on a certain class of work. Most of the men are union men. I have not been asked to join the union, or it has not come before me, and there is a strike on. If I go out rather than stay when that strike is on——

Q. You go out in sympathy ?—A. Of course I do.

Q. And the non-union men who went out in Vancouver went out in sympathy with the union men ?—A. Yes.

Q. Will you undertake to swear that in this case they went without being intimidated ?—A. I know absolutely nothing about that.

Q. Can you tell me any non-union men who went out in Victoria ?—A. Yes, sir.

Q. Were they intimidated ?—A. No, sir.

Q. Was not Snider intimidated ?—A. No, I don't know anything about the Snider case.

Q. Will you say that the non-union men at Victoria were not intimidated ?—A. To the best of my knowledge they were not. If McBride got full of liquor, it was contrary to the wishes of the union.

Q. Why did you go his bail, and why did you pay his fine ?—A. That has happened before. There was no action taken by the union.

Q. Why didn't you help the half-breed ?—A. The half-breed's case came up after McBride, and between the two a resolution had been passed that any man who gave any trouble would have to stand on his own footing. Everything was done to get him home.

Q. And what were the other men doing on the street. They were on the corner of Johnston and Stewart street ?—A. According to the evidence.

Q. And that was the road that men going to the boat would be likely to take ?—A. It might be so.

Q. And you had men at several places where men would likely walk on their way to the steamer ?—A. I was not aware of the fact.

By Mr. Rowe :

Q. Did the union put out pickets ?—A. In the fore part of the strike, yes. There are none now, and have not been for some time.

By His Lordship :

Q. What are the duties of the pickets ?—A. To see the men who come down on the boats.

ARTHUR BENJAMIN BULLEY—Victoria, May 13.

By Mr. Bodwell :

Q. To stop anybody going on board the boat ? You swear it was not for that ?—A. I swear it was not. We would want to get next to any man belonging to the union.

By His Lordship :

Q. Would the pickets have power to stop any man coming down ?—A. No violence. He could accost him.

Q. Did they take hold of non-union men ?—A. They might have persuaded them against working against them. It is not contrary to the law.

Q. Would you expect us to believe that there has been no case of intimidation during the strike ?—A. I know of absolutely none.

By His Lordship :

Q. Were any of these men who had trouble men who had been put out by the union for picketting ?—A. They were not on duty to make trouble. One of them, McKinnon, was in the California—in the saloon away from any picketting.

By Mr. Rowe :

Q. Where did you station the men for picketting ? Where were the men to go ?—A. I suppose, as far as picketting is concerned, it would only be to walk up and down certain streets. I know nothing about that.

Q. You were the president of that association—did you give any instructions to pickets ?—A. Yes.

Q. What were your instructions ?—A. That they should not molest or interfere with any man. I had no decided instructions to give.

Q. They had to do something. What were they to do ?—A. It would assist in this shape. If I should be asked to watch what was going on in front of this court—who came in and who came out.

Q. I wanted to get at what the duties of a picket are ?—A. They are really watchmen.

Q. To report who were going down to the boat ?—A. Yes.

Q. Were they assigned particular boats ?—A. To the best of my belief they were.

By Mr. Bodwell :

Q. I may tell you, Mr. Bulley, that a man came up to me on the street and asked me if I could get him a job, and I said, 'Why don't you go down to the boat.' He said, 'If I did I will take my life in my hands'?—A. That man was exaggerating things.

By Mr. Rowe :

Q. Why do you object to unions handling unfair freight ?—A. The simple answer is this : a certain man belongs to the union and is being discriminated against. It seems to me that I should help that man.

By Mr. Bodwell :

Q. Your refusal to handle the freight is really aiding the strikers ?—A. Yes.

Q. So that it is contributing to the strength of the strikers ?—A. Yes.

Q. So that in this case you were contributing to the strength of the U. B. R. E. ?—A. Yes.

Q. Did they ask you to do this ?—A. Not to my knowledge.

Q. Didn't you swear that there was a formal request to come out ?—A. Not from the U. B. R. E.—by the Vancouver union.

Q. Didn't you know that they were requested to come out by the U. B. R. E. ?—A. Not that I know of.

By Mr. Rowe :

Q. You say that you got in on your trip and that the agreement had been broken, and you decided to go on strike ?—A. This agreement had been broken. I was on the crew of the *Charmer* when this agreement was broken in the first place. The men felt that the company was waiting to get a chance to get a non-union crew, and that we would have to carry the stuff or walk ashore. We had a meeting after we arrived that night, and the men struck.

By His Lordship :

Q. Supposing it turned out that the U. B. R. E. was wrong, would you not think you had been misled ?—A. Yes, but the whole body of the men of the U. B. R. E. had given good satisfaction for a number of years. How is it possible also that the men's places should be filled a day after the strike with men from Montreal. There were men arrived in Vancouver from Montreal a day after the strike.

By Mr. Bodwell :

Q. Do you know what brought about the strike in Vancouver ? Don't you know there was a man who disobeyed the regulations of the company and allowed a friend to bring in freight as settlers' effects and to get a lower rate on it ?—A. No, I don't know about that.

Q. And that the man was suspended for that offence, and that the U.B.R.E. demanded his reinstatement without investigation, and that was the reason of the strike ? —A. No, sir.

By His Lordship :

Q. Suppose that turned out to be so, would you not think you had been foolishly misled into a sympathetic srike ?—A. No.

Q. If this man had been contravening the regulations of the company, would you not consider you had been foolishly misled into a sympathetic strike ?—A. No. In the first place, it might be that no such thing happened as Mr. Bodwell has asked me.

By Mr. Rowe :

Q. His Lordship asked if it were true, would you consider it justified you going out on strike ?—A. No, I would not consider it right. The fact is this: we know that several demands had been made and endorsed before going on strike. These demands are simply this, that the C.P.R. will not discriminate against members of the U.B.R.E., and also that they will allow them to organize. That is the sum and substance of the strike. They refused that, and as long as they refused that they are perfectly justified.

By His Lordship :

Q. Supposing your ground was all wrong—the difficulty is you have been led into going on strike without a proper knowledge of the facts ?—A. That is only a supposition.

Q. You yourself admit you did not get the story of the C.P.R. ?—A. There was no necessity of it.

Q. After the strike was called, then the demand was that the C.P.R. should recognize the union and reinstate this man who had been discharged ?—A. Not that I know of.

THOMAS PIPER, sworn.

Mr. Bodwell :

Q. Do you live here, Mr. Piper ?—A. In Beaumont, Esquimalt.

Q. How long have you lived there ?—A. Since '95.

Q. What is your occupation ?—A. Shipwright.

Q. Were you working at Bullen's ways at the time the Allans were taken on ?—A. Yes.

Q. What do you know about that ?—A. The two Allans were working, and we noticed that a number of our best men were not working, and to the best of my belief we raised strong objections about it.

Q. Did you hold any official position in the Shipwrights' Union at that time ?—A. The difficulty occurred on July 18, and I took the secretaryship on the 24th.

Q. When you say we, are you referring to the union ?—A. Yes, to the men working on the job.

Q. You, as one of the men, interested yourself in the circumstances ?—A. Yes.

Q. You understood these men were working, and some of your best men were not working ?—A. As far as my memory serves me, we objected to that, and we persuaded these two men that our men had rights, because it is an unwritten law that local men shall have preference over outside labour, and these two men went back to Vancouver, and I don't remember exactly why they were not started to work right away. I think Mr. Bullen was dissatisfied because we persuaded them to go away.

Q. Did you inform Mr. Bullen on the subject ?—A. Three of us, the president, treasurer and myself.

Q. What occurred at that interview ?—A. In the final interview an agreement was made getting over the difficulty, and we came to an amicable settlement with regard to all points, and on all points likely to arise, and we agreed that in the event of trouble there should be no strike without a week's notice on either side, and we have now an amicable settlement, and don't think any trouble is likely to arise.

Q. You say there were some here in Victoria who were qualified and not employed, and the Allans were ?—A. Yes, sir.

Q. Was the fact made known to Mr. Bullen before he employed the Allans ?—A. I don't know as to that.

Q. Was that the ground you took with Mr. Bullen, or did you take some other stand with him ?—A. The substance of our dispute with Mr. Bullen was that the Allans were working and men here who were considered better men were not working.

Q. You insisted he had no right to employ men in Vancouver as long as there were men in Victoria ready to work ?—A. Yes, sir.

Q. Would that be a principle of your union ?—A. An unwritten law.

Q. Would it be so that an employer would not have the right to choose competent men who happened to have their residence in Vancouver ?—A. We have now an agreement with Vancouver that they won't come unless sent for by our president, and we won't go on the same terms.

Q. Outside of an arrangement of that kind, would you consider that is a part of the system in force where the Shipwrights' Union is in operation ?—A. Yes, I think it is a very good system I consider it poor economy to get other men when there is a resident union available.

Q. You had not objected to these men working on another job ?—A. Because all our men were working.

Q. How long had the Allans been here ?—A. A few months.

Q. How long would a man have to be here before you would consider him a Victoria man ?—A. When he joined our union.

Q. Suppose he lived here for two years and did not join the union, he would still be an outsider ?—A. Oh, yes.

Q. You would not permit any man to work on a job in Victoria unless he joined the Victoria union—is that right ?—A. Yes.

Q. What good reason can be given for that ?—A. Just the same as lawyers and doctors.

Q. But we don't stop a man from working if he wants to work ?—A. Could a lawyer come into your society and practice, or a doctor ?

By His Lordship :

Q. A Vancouver man could come to Victoria ?—A. We have rules the same as a club They are conceived in the best wisdom, and if they don't like to abide by our rules they need not join us.

By Mr. Bodwell :

Q. And you won't let them work ? So you bring an improper influence to bear on these men ?—A. Not at all.

Q. Suppose a man does not believe in unions—he has a right to his opinion ?—A. Yes.

Q. What right have you to say that he must join your union or not work ?—A. He could get a job with other non-union men.

Q. Here were two men who practically were non-union men because they had not joined the Victoria union. Now, then, you thought the union was a good thing, perhaps they did not—you would admit their right to have an opinion ?—A. Yes.

Q. What right have you to say they can't work because they don't care to join your union ?—A. Just the same as a club. If I went to the Union Club, they would say you are not toney enough.

Q. Do you think you possess the right to prevent a man earning his living if he doesn't agree with your opinion ?—A. I think we have a right to say here are a set of by-laws, and are you willing to abide by these by-laws ?

Q. Has he not the right to say no ? How is he to get a living ?—A. There are other non-union men.

Q. But you won't let them work ?—A. There are other non-union yards.

Q. We will say at that time Mr. Bullen's yard was the only one where work was going on. The two Allans were workmen and wanted to earn their living; that they had conscientious conviction against unions—by what right do you say they should not earn their living at their trade in this town ?—A. Just the same right as any body of men say you shan't come into our club.

Q. But they don't want to go into your club. Why should they not work ?—A. Let them go to Vancouver—they lived there.

Q. This is a free country—they wanted to stay in Victoria. Why should they not work in Victoria ?—A. Because we have resident men paying taxes in the city.

Q. Was that the reason ? Were you considering the benefit that would be to the community ?—A. Yes, sir. That enters very largely into our consideration whether we take a man into our union or not. Suppose he is a drunken man, he is very likely not to be elected, but if he is a respectable man it is different.

Q. A poor man addicted to drink would have to starve ?—A. Yes. There are plenty of good men. Let the drunkards die by starvation.

Q. No right to live ?—A. That is my contention.

Q. Do you voice the principle of labour unions when you make that statement ?—A. I may say I do with the majority of the men in our union—that the drunkards should starve to death and the good men survive.

Q. What position do you occupy in the union ?—A. I am merely recording secretary of the shipwrights.

Q. Are you giving your individual opinion or that of the members of your union ?—A. Merely my individual opinion. I am certain a large number of the members think as I do.: I should think four-fifths of them.

THOMAS PIPER—Victoria, May 13.

Q. If that question came up to you as a body do you think the body would act on that principle ?—A. Undoubtedly; I am certain we would elect a competent man who was sober; I am nearly sure that a drunken man would be rejected.

Q. And if rejected on account of drunkenness he could not work ?—A. No.

Q. How about a cripple ? He is in much the same position as a man who drinks. He could not do a good day's work on account of not having two hands—A. A cripple is out of court—he could not work. You want two hands and two pretty good ones.

Q. Suppose, however, that he could do a certain amount of work, and he was willing to do it, and the employer was willing to let him ?—A. We have no by-laws relating to cripples.

Q. I am putting a principle to you. You would not recognize that principle in regard to a cripple ?—A. I do not know how we would deal with a cripple.

Q. What is your idea ?—A. I remember some years ago we had an old man, and the men allowed him to stay and spin oakum and do the easiest parts, and they went out and did the hard part.

Q. Suppose he wanted to do some work on the hard part—would you let him ? A. He simply could not do it—he would be quite useless.

Q. Then you think it would be wrong to debar a cripple from doing work he could do because he was a member of the union ?—A. I am nearly sure our union would make a special law enabling a cripple to do what he could.

Q. You would have to make a special law ?—A. Yes.

Q. If your principle is that the competent men should live and the incompetent die, why not exclude the cripple ?—A. The man who drinks has himself to blame, but the cripple is so by no fault of his own.

Q. Suppose he could not get away from drink—you would not let that man live ? —A. No, I would not, personally.

Q. Why don't you apply it to the case of a man who is unable from some other misfortune to do competent work ?—A. A cripple is perhaps crippled through misfortune—not his own fault.

Q. I am discussing the principle—that a man who is not able to live and do competent work, ought not to live—that is the principle ?—A. That he ought not to live. If you have ever seen men working in a shipyard, a man is quite useless unless he is a pretty able man.

Q. Suppose the employer is satisfied ?—A. Mr. Bullen there will tell you that cripples would be very little good to him.

Q. I am talking of the principle that a man should not be allowed to work unless he can do hard work ?—A. I don't understand you fully. I say that the man who is a drunkard, it is through his own fault, and I have no sympathy for him. If he is a cripple I have. I think that answers the question.

Q. Where do you imbibe these principles ? Any discussion among your union as to this ?—A. I do my own thinking.

Q. You form your conclusions as the result of discussions ?—A. Partly.

Q. Do you think for the other men ? Do they convince you ?—A. Sometimes they convince me.

Q. About 50 per cent of the union think what you do ?—A. Four-fifths of them, I think.

Q. Is unionism calculated to bring about that state of mind on the part of the members ?—A. I could not say.

By His Lordship :

Q. Have you even been a member of any other union ?—A. In Sydney, Australia, and London, England, of the Shipwrights' Union in London, and the Shipwrights' Union in Australia.

Q. Do you understand what is meant by recognition of the union ?—A. Recognition by whom ?

Q. By the employer ?—A. When the employer says he will agree to be bound by our by-laws.

Q. Does it involve the exclusion of non-union labour ?—A. Oh, yes, I should say so.

Q. Is the business of shipbuilding pretty well unionized in England ?—A. I left there sixteen years ago, and it certainly was then.

Q. Are there any non-union shipyards in England ?—A. I should say about one-fifth.

Q. How do they manage to get employment ?—A. There are little out-of-the-way jobs on vessels and boats scattered along the banks of the Thames. For instance, at Gravesend, twenty miles from London—I have been down—there would be nothing of a union, and above London they would be doing boat work.

By Mr. Rowe :

Q. What is the objection they have to a union as a rule ?—A. Some of them are not competent enough to join a union. There is a committee of three appointed to decide on a man's fitness in Victoria, in San Francisco and Seattle.

By His Lordship :

Q. By asking verbal questions ?—A. They set to work and watch him for a couple of weeks and report at the next meeting.

Q. So when a man employs a union shipwright it is a guarantee that he is a competent man ?—A. It is so considered. The union endeavours to make it that.

Q. Have you ever heard that it is a tendency of unions to drag down a good man to the level of a poor one ?—A. I don't believe it has any force in it. I have heard it. We endeavour to get good men into our union. The good men get the work.

Q. I suppose an employer can choose whom he likes out of the union ?—A. Yes, the employer takes whom he pleases.

Q. The union does not require the employer to make an even distribution when work is short ?—A. No.

Q. What do you say about the boycott ? Is that a legitimate weapon for a union to resort to ?—A. We shipwrights are a somewhat conservative body, and we have never been brought into any sympathetic strike. I have not studied the subject of boycott sufficiently to give an answer.

Q. You don't resort to the boycott ?—A. No. We have never had any need to. We have very little friction with anybody.

Q. It is modelled after the English trade union ?—A. Yes.

By Mr. Rowe :

Q. Are you affiliated with the Trades and Labour Council ?—A. The Congress of Canada and the local council.

Q. Have you any maximum wage ?—A. $4.50 on old work, and $4.00 on new work.

Q. Can an employer pay more than that—he can discriminate as between them ?—A. He may pay a man more, but not less. Unless he is on the old man list. He may pay him $3.

By His Lordship :

Q. Can you tell us anything about the doctrines of socialism ?—A. Many of the members might be termed capitalists—that is to say, they have their own houses. I feel that I am in a measure a capitalist, and many others are capitalists. I think there may be perhaps five or six socialists, but I am pretty certain the others are not socialists. There are 258 in the union.

Q. Your body would not likely join a body like the Western Federation of Miners ?—A. I should personally be opposed to it. I consulted three members of the executive

before I came, and they are strongly opposed to the affiliation with any American institution. We think we should be merely the 'tail of the dog' if we joined an American institution.

Q. Is it against your principles to allow an employer to employ non-union men when all the union men are employed ?—A. We think when sufficient union labour is not available, the foreman may decide as to outside labour. That is a term of our agreement.

Q. There is nothing in your constitution to prevent that ?—A. It would be held that the agreement suspended the constitution.

By His Lordship :

Q. What do you maintain to be the chief advantages of unionism ?—A. It keeps the wages uniform. It fixes a standard of hours, and I think it is an advantage to the employer because in the taking of contracts he knows exactly where he stands. For intance, Messrs. Bullen can take a ship, and they will know they will have no trouble because of having an agreement beforehand.

Q. They did not seem to know in the case of the *Garonne* ?—A. That was not our union—that was the boilermakers. I don't know much of the circumstances of that case.

Q. I suppose a good deal depends upon the character of the men who run the union, as to its benefit ?—A. I should say it is a factor. For instance, when the association is not in session, then the executive control the union. They administer the affairs, and if they are sensible men it has a good effect on unions.

By Mr. Rowe :

Q. Are there many such agreements between shipwrights' unions and employers as this one you have with Messrs. Bullen ?—A. Yes, sir.

Q. In regard to the employment of non-union men, is it a departure ?—A. I have heard it has come into use in 'Frisco and Sydney, that they have asked permission to be allowed to put non-union men on, and we have granted the permission.

By His Lordship :

Q. A good deal depends upon the character of the men who control the union ?—A. Yes, sir.

Q. When they are reasonable men there is never any ground for difficulty ?—A. As far as Victoria is concerned and our own union, I don't think there is any cause for complaint. According to the agreement with Messrs. Bullen, we are not allowed to strike without a week's notice.

Q. I gather from your evidence that you don't approve of Canadian workmen belonging to American unions which may have the power to call them out in sympathetic strike for something happening in the United States ?—A. I am strongly opposed to that.

Q. How do your wages compare with British ports ?—A. Here we will say the minimum is two dollars, in Sydney it would be six shillings. In Sydney you can live for two-thirds of what you can get here. Here you get $3 a day. In the old country men get 7 on new work and 8 on old work. You can live there for two-thirds of what you can here.

By Mr. Rowe :

Q. You consider your wages as good as in other places ?—A. I consider this the most favoured place in the world so far as any places I have been. The conditions affecting labour are the most favourable of any here.

By His Lordship :

Q. There seems to be a radical difference of opinion as to joining international organizations. Could you give us any idea of what the percentage of opinion is ?

Are your views in the majority or minority ?—A. I think members of the Trades and Labour Council could tell you better. I should say in our own union that four-fifths are against having anything to do with American labour.

By Mr. Rowe :

Q. Does your union take part as such in political affairs ?—A. No, I think a fine —I think it is 50 cents—according to the by-laws, for introducing any subject of a political nature in the lodge room.

By His Lordship :

Q. We would like to have a copy of the by-laws ?

(Constitution and by-laws of Shipwrights' Union put in—Exhibit H.)

A. The by-laws are taken from by-laws drawn up by Englishmen who arrived here twenty or thirty years ago. The union has been in existence since 1862.

By Mr. Rowe :

Q. As a rule, your craft is not overcrowded ?—A. It is subject to spurts. For instance, from 1892 to 1897 I suppose there was only work here to keep one-fifth of us steady. Since the Winnipeg rush and revival in the Territories, we may say it has kept four-fifths of us busy. Sometimes we have all been busy.

Q. For twelve months in the year ?—A. I should think it would average nearly four-fifths of the men over the whole year.

Q. As a rule, throughout the world, it is not crowded ?—A. It is crowded in Sydney, San Francisco and Seattle—somewhat crowded in these places.

Q. What do men get in Seattle ?—A. I think it is $4.50 on old work.

Q. I understood you to say your union does not take account of what are called sympathetic strikes ?—A. No, sir.

Q. That is opposed to English opinions, anyway, is it not ?—A. We never heard of such a thing being done. I think it is an American institution. I should judge so.

By His Lordship :

Q. Have you ever considered the question of the best means of settling strikes in the interests of the public, where the parties cannot agree ?—A. No, sir. It is a question I have thought upon, but I have not been able to hit upon anything satisfactory. It appears to me that representatives of the employers and the men should get together. I cannot see why not, their interests being to a great extent identical, why they cannot settle all difficulties.

Q. Do you think a trade agreement would help, with a time clause in it ?—A. Yes, I think so, because it prevents a few hot-heads, or men who do not feel like working, from working up a strike. I have noticed on the other side there are fellows who seem to think it is a distinction to raise a strike, and they claim distinction as men who have raised a strike, whereas a strike is a hateful thing.

Q. What is your opinion about the men who start such matters ? Are they the skilled workmen of the craft or the others ?—A. They, as a rule, are men whom the superior workmen withdraw from.

Q. Do you think there should be a law enacted against the walking delegate or the foreign agitator ?—A. I think so. I think it is an insult to Canadian labour for foreign interference to come over. It might as well be the Empress of China or Roosevelt. I think it is a gross insult.

Q. It is the privilege of Canadian labouring men to be left alone and discover their own salvation ?—A. Yes, I think so.

Q. What would you suggest could be done ?—A. I think we need, say, a better alien law. We need a good alien law because the worst kickers we have are from the other side. One or two of them will raise more trouble than twenty of our own men. Let the alien labour law work so that these disturbers should be kept out.

Q. Would you say there should be a law itself preventing any one except a British Columbia subject going among the men and agitating these matters ?—A. Yes, that is my personal opinion. I don't say the union would vote for it.

Q. You think conciliation is the best method of settling strikes ?—A. We find the Trades and Labour Congress of Canada a good body to be affiliated with, and I think the Trades and Labour Council here might be a great help as a conciliatory body. I think the local Trades and Labour Council have taken the best means of settling any strike.

By Mr. Rowe :

Q. Is your union incorporated ?—A. Our union is not incorporated; it is affiliated with the Trades and Labour Congress of Canada.

Q. A contract made, then, by a union if incorporated would be binding in law, and might facilitate the making of contracts ?—A. If the union were incorporated ?

Q. Yes, they would then become responsible and take the consequences of the wrongful acts of its officers. Do you think employers would be more likely to make agreements with unions of that kind than others ?—A. Yes, I think so, but the employer would have capital behind him and we would not.

Q. There are a good many unions in England incorporated ?—A. Yes. I thought you referred more particularly to Canadian unions.

Q. As time goes on the Canadian unions would soon have a fund. What are the dues of your lodge ?—A. Twenty-five cents a month.

Q. You have no benefit fund ?—A. No.

Q. Part of that 25 cents goes to the Dominion Trades and Labour Congress ?—A. Twenty-five cents per year per member.

DAVID KELLY, sworn.

By Mr. Bodwell :

Q. You were the president of the Shipwrights' Union at the time of the Allan incident ?—A. Yes.

Q. You heard what Mr. Piper said about it ?—A. Yes.

Q. That was substantially correct ?—A. Yes, I think so.

Q. Do you remember anything he has not mentioned ?—A. I think he has made a pretty clear statement.

Q. How long have you been a member of the Shipwrights' Union ?—A. About 16 years.

Q. Have there been many difficulties arising in your time between the union and the employers—serious difficulties ?—A. No, not to amount to anything.

Q. What method do you have of discussing and arranging questions that arise ? Do you have a permanent committee ?—A. We have an executive committee on all questions which arise out of the ordinary.

Q. Is that executive committee a medium of communication with the employer ? —A. Yes.

Q. The grievance is first stated by a member of the union to the executive committee ?—A. Yes.

Q. Do they consider it in the first place, whether it should be mentioned in the first place, or do they afterwards take that grievance to the employer ?—A. As regards the question of being on strike, for instance, or anything of that nature, the union would certainly decide as to what course they should take.

Q. Take this particular case of the Allans—was that brought before the executive committee ?—A. Previous to the Allans coming here we had a working law that all

the members of our association—that is, all the members who were capable of doing the work required of them—should be employed on a job before outsiders would be employed. That was a working rule.

Q. I was speaking now of what the course of business would be in your own lodge. That complaint would be brought before the executive committee in the first place to be considered ?—A. Generally.

Q. Suppose a man thought he was being put at work that he should not do, what would happen then? Would that be investigated by the executive committee first ?—A. No.

Q. What would happen in that case ?—A. The man who was running the job—if he satisfied the boss he would satisfy the union. The boss would send the man off the job.

Q. Suppose the man himself had a complaint of that nature, and he wanted the union to take action on it, what would be the course of business—would he complain to the executive ?—A. Yes, I suppose that would most likely be the case. There would be a committee appointed to investigate.

Q. You would hold your investigation first ?—A. We allow the foreman on the work to judge as to whether a man is capable or not.

Q. Suppose he says the man is not, and the man says he is, and wishes the union to take his part, would the union then appoint a committee to investigate ?—A. I don't know what case would arise. There are several hundred men amongst our union, and every man knows pretty well what the other can do. That question would not be apt to arise.

Q. So I suppose you are a small family and don't have to consider any of these propositions, as a rule ?—A. No.

Q. Have you had much experience of the workings of trade unions outside of your own business ? Have you been a member of the Trades and Labour Congress, or anything like that ?—A. I have been a delegate to the Trades and Labour Council at Victoria for the last three years.

Q. No outside body ?—A. No.

Q. At the meetings of the congress where you were a delegate, I suppose some of the larger questions relating to trade unionism were discussed ?—A. Very often.

Q. You have formed opinions about several of the questions ?—A. Yes.

Q. Have you any opinion, formed from your own observation, as to the question of, say, compulsory arbitration in case of strikes ?—A. I don't believe in it at all.

Q. What objection have you got to it ?—A. I have this objection : I don't believe that a workman would be likely to get a fair deal with compulsory arbitration. It certainly would largely depend upon the constitution of the board.

Q. Suppose you form a board for each particular case—do you think that would be meeting the case ?—A. If the men were well versed in the particular trade.

Q. Suppose there were a dispute in Mr. Bullen's shipyard, which could not be arranged between the parties. Would you think that a man appointed by means of one special arbitrator appointed by the employer and a third man chosen by the men—would that likely give an equitable solution ?—A. I think possibly it might, if they were parties who understood the situation, but if they were parties who did not I would not consider it a fair way at all.

Q. Of course the man appointed by the men would always be familiar with the circumstances, and an employer would always appoint a man who knew his side of the case ?—A. Yes.

Q. If you had a permanent third arbitrator—a man who made a business of studying these questions and familiar with all kinds of business in the country, don't you think that would be a pretty good board, and apt to reach a satisfactory conclusion ?—A. Yes, if he was an impartial man.

Q. Say he was like a judge—could not be removed from his office and had a salary so that he could afford to give his whole time absolutely to the business ? Would that be a pretty good institution ?—A. Possibly it might be.

DAVID KELLY—Victoria, May 13.

Q. What objection would you have to an institution of that kind ? What objection do you see to it ? There is a man, a permanent official whose sole business is to act as third arbitrator in trade disputes. He is independent of all political influences and personal influences just as a judge. The workingmen appoint an arbitrator and the employer chooses his. What objection do you see to referring a trade dispute to a tribunal of that sort ?—A. Well, I don't know that possibly there could be any objection at all, if he was an impartial man and he was left to decide on the merits of the case without any influence, I do not see why he should not come to a just conclusion.

Q. Devoting his whole time to the business he should be more competent than a man selected for a particular case ?—A. I will say I think the great trouble with nine-tenths of the strikes is that employer and employees don't get together. I believe that nine cases out of ten would be settled if they could be got together.

Q. They won't talk without prejudice ?—A. Yes, there is something in that.

Q. Don't you think the only reason that the unions object to compulsory arbitration is the fear that the board will not be an impartial tribunal ?—A. Yes, I think so.

Q. They would be willing to have some place to refer disputes if they could have confidence in the court ?—A. I think so. But it is pretty hard for them to place that confidence.

Q. Don't you think there is a feeling among workmen that the rest of the world is joined against them ?—A. They naturally think that the capitalist class is.

Q. That represents the world as far as they are concerned ?—A. Yes, I suppose so.

Q. Is it not made the text of a great many speeches that are made to workmen on occasions when they meet ?—A. It certainly is on some occasions.

Q. Does not the professional agitator make these attacks ?—A. Yes, he very often has good reason.

Q. He never fails to make use of his opportunities ?—A. No.

Q. Don't you think there is good deal of unnecessary prejudice occasioned by that kind of talk ?—A. I daresay, very much. I believe myself if the labour class generally would study the question they would not be so prejudiced.

Q. Don't you think a great deal of their literature is one-sided and inflammatory ? —A. I have seen none that is not pretty fair.

Q. What publications are you familiar with from the labour standpoint ?—A. Just the local labour papers. I read the *Vancouver Independent*—that is a labour paper, the *Western Socialist* and others. I don't have much time to read a great deal.

Q. Speaking of your knowledge of labouring men generally, do you know whether there is very much of that literature circulated here in Victoria ?—A. Not in our union. Very little, we cannot get enough, that is the great trouble. You cannot get men to study labour matters enough to have a right understanding.

Q. They don't care to study the subject at all ?—A. They are kind of dilatory. They don't take a very active part, a great part of our men.

Q. Have you any view as to whether it is in the interests of labour men of Canada to become part or belong to unions whose headquarters and numerical strength are in the United States ?—A. We at one time were only a local union, and did not have any charter. Finally we decided to take out a charter, and it was a question for some time with us as to where the charter would come from, whether we would take a Canadian charter or an American. Of course nearly all the unions in this city are chartered from the American Federation of Labour—a few from the Dominion Trades Congress. We considered it would be to our interests to take out a Canadian charter in preference to an American.

Q. What reasons led you to that ?—A. If we took out an American charter we would have a larger body of men to join than we would if we took out a Canadian charter. We would consider that all our per capita would be going into American territory. That is the question we considered, and we thought it would be better to keep it home.

Q. Speaking of your trade you consider that in Canada, at least, there are sufficient numbers to give you any necessary protection, if they were all unionized ?—

A. I think it would largely depend upon the alien law myself. I am only speaking now personally. I believe if we had a good alien law we would have protection enough, but as it is we have none, I am sorry to say.

Q. What is the matter with the present alien law?—A. I don't think it is workable at all.

Q. What would you suggest?—A. I believe if we had a good alien law that would cover the whole ground, that we would then be better not affiliated with any American union, but at the present time we have to affiliate with American unions in order to protect ourselves.

Q. Would you favour a law which under no circumstances would permit any alien labour to come into Canada?—A. No. I would draw the line here. For instance if there were trouble between an employer and employees here I would draw the line here.

Q. If there was no trouble you would advocate the right of an employer to import labour to carry on business?—A. Not if there was labour available here.

Q. What principle would you lay down to be acted on? Suppose this case. Suppose that there were not sufficient men in Victoria, but suppose there were plenty of men in Winnipeg, and there were also men available in Seattle. The Seattle men would be foreigners, the Winnipeg men Canadians. The employer cannot get his work done in Victoria. What would you say as to that?—A. I would say, bring the Canadians in, notwithstanding the additional expense.

Q. And the consequent loss of profit to the employer?—A. I don't know that it would be a loss to the employer.

Q. He would have to pay the additional expense between Winnipeg and Victoria?—A. Certainly, if he imported them. I think, in that case, if all the men in that particular trade were employed here, that an employer should certainly have enough men to carry on his business.

Q. Suppose there were 100 men belonging to your union—50 of them good men, and 50 very indifferent, but still not so bad but that they could belong to the union, and in Seattle 50 first-class men could be got. You would object to the first-class men—you would expect the employer to employ the indifferent men here?—A. Certainly, if they could do the work.

Q. We will say they could not do the work so as to make the same profit to the employer?—A. We cannot always consider the employer.

Q. In that case, you would think the law should keep out the aliens?—A. Yes.

By Mr. Rowe:

Q. You think it is right, then, sometimes to import labour under contract?—A. Not if there were available labour in the country. If they are not available, then I don't think a man's business should suffer.

By Mr. Bodwell:

Q. As long as men could be had, competent or not, you would consider they were competent?—A. No, there is no use putting a blacksmith at a carpenter's job. I would consider a man should be capable. There is no use importing a caulker and putting him at first-class carpenter work.

Q. So, as long as they were carpenters, whether good or bad, you would consider them available, if they were in the country?—A. Yes, I should certainly say so.

Q. Have you had any particular instance in the working of the alien law to which you can refer us?—A. No, none whatever.

Q. In the case of a great enterprise of unusual magnitude, requiring a large amount of labour, do you think it is in the interests of the country that labour should be imported? In building a railway or something of that kind—would it be right to import labour under contract?—A. I should think it would depend altogether upon whether the work was required at a certain time. They would come in and take several thousand dollars and then go out of the country. I think it would be better to extend it over a longer time and keep the money in the country.

By Mr. Rowe:

Q. There is always the possibility of having the alien stay, when he comes here?—A. Yes.

By His Lordship:

Q. What do you say about the disadvantage of Canadian workmen joining these international or American organizations?—A. I think it is a disadvantage from my own standpoint.

Q. On what grounds? On account of the alien labour law?—A. Well, I think, in this way : that if a branch, say of the carpenters or shipwrights, is affiliated with any American body representing the same trade, and this body has trouble here, that these men that belong to that body won't come over here while there is trouble. I think it would be a benefit to them in that way.

Q. Would they anyway?—A. We have had them do so right here.

Q. That is a violation of the first principles of unionism, is it not?—A. We considered it so, but at that time we were not affiliated with them in any way.

Q. The result could be obtained by affiliation, without actual incorporation into the body?—A. I would stand for affiliation, but not for incorporation. I would not want to belong to an international union.

Q. Your reason is, that part of the control would pass to the American side?—A. I think the control should be on this side. Affiliation gains the real object.

By Mr. Rowe:

Q. Does your union make any special rules for dealing with the navy?—A. No, sir; we try to deal the same with all classes of people and all employers. We insist on the same terms with regard to conditions of employment. Of course, the navy always has the right as long as I have been here. We never object to working with navy carpenters. We always work on the same job, although they are not union men. They belong to the ship.

Q. Is that because of the fact that it is the property of the empire?—A. I don't know ; I think it is because it has been recognized as a rule.

Q. It is a pretty difficult matter for the union to hold up the Imperial government?—A. They have held up the Dominion.

By His Lordship:

Q. I suppose, the only effect of the union refusing to work for the navy here would be that the ship would be moved elsewhere?—A. I guess so. They are pretty good people to work for.

WILLIAM JAMES LADINGHAM, sworn.

By His Lordship :

Q. I understand there was a blacksmiths' strike here ?—A. Yes, your Honour.

Q. Can you tell us what led up to that ?—A. Well, the Blacksmith's Union asked $18 per week——

Q. How long has that union been in existence ?—A. A little over a year.

Q. It is affiliated with the Trades and Labour Council ?—A. No, sir, with the International Brotherhood of Blacksmiths, with headquarters at Moline, Illinois.

Q. Have you a copy of the constitution ?—A. I have one that is a little defaced.

(Constitution produced—marked Exhibit I.)

Q. Are all the blacksmiths in town members of this union, or any non-union ?—A. There are two non-union.

Q. How many members of the union are there ?—A. Thirty-two. It includes blacksmiths and helpers. They decided recently to take the helpers in with the same union as the blacksmiths. Each branch decides on its own wages, so the helpers would decide on what they want, the horseshoers, the machine blacksmiths, and also carriage builders. They each set their own wages. That is ratified by the union. The machine blacksmiths and shop men have made a request of the employers and that was granted. Then there was a strike of the carriage blacksmiths and horseshoers. The others thought they would be overcome. That was about 7 weeks ago. It is settled now. It was settled the night before last, May 11—Monday night.

Q. That was a strike for increased wages ?—A. Increased wages and shorter hours.

Q. What was the result ?—A. They got what they were asking for. Both the raise asked for and the hours.

Q. What are the hours ?—A. Fifty-one in a week. They had been working 56.

Q. It took seven weeks to fix that up ?—A. Yes.

Q. How many people idle in the meantime ?—A. Somewhere about 13 ; I don't know the exact number. One of the shops of course remained out only a few days. They paid the wages that were asked for and complied with all the requirements of the union.

Q. When you went out on strike did you have to consult the international people in Illinois ?—A. We would have according to the constitution, but we did not go by that.

Q. The constitution requires permission ?—A. Yes, if you want to receive benefits. If they don't allow you to strike the penalty is that you receive no benefits.

By Mr. Bodwell :

Q. If you strike without approval ?—A. Yes. They discourage strikes as far as possible.

By His Lordship :

Q. You cannot call on them for assistance ?—A. No.

By Mr. Rowe :

Q. Have they power to call you out ?—A. It is not given in the constitution.

By His Lordship :

Q. You settled the question of strike yourself ?—A. That is what we have done. We go by conditions as we find them. The general law is there, but we are governed by conditions as they exist. The men remain more peaceable and quiet.

Q. You can strike or not as you like, provided you don't ask for strike benefit ?—A. That is what we did—that is what the men did. I was not included in the strike.

Q. They would get the sanction of the people in Illinois ?—A. No.

Q. It was only a section of the trade ?—A. Two sections—the horseshoers and carriage workers. Some are horseshoers alone, and some are horseshoers and carriage blacksmiths.

Q. Can a man belonging to the union work at either of these branches without any trouble ?—A. Yes.

Q. You did not get any assistance from Illinois ?—A. No, they did not ask for any.

Q. Have the headquarters got power to call you out on strike ?—A. Not that I know of.

By Mr. Rowe :

Q. What is the wage now got ?—A. $18, that is the minimum. There are others got more for 51 hours' work. The shop smiths and machine blacksmiths get $3.50 per day of 9 hours. I might say that the first to comply with the request was the

British Columbia Railway. They said they had no objection to the men bettering their condition as long as they did not hit them too hard, and our request was granted. If all men were treated that way there would be no reason for strikes, or even to organize. The employer generally does not understand the nature and requirements of the men, and not understand that there is no getting them together.

Q. You look upon unions as beneficial ?—A. Yes. The blacksmiths have been working for some $3 for 9 hours. The boilermakers were getting up to $4, or $3.75 and $3.50 working on the same jobs as the blacksmiths. Not being organized they were not in a position to ask for more. It was not the employer's fault because that is all they were paying elsewhere. As soon as they were organized they got it without any trouble, for the simple reason that one firm did not hesitate to pay when they knew the other firms were paying the same.

Q. What is the necessity of belonging to the American organization ?—A. We believed in the first place that our men were working under conditions too low. They asked for $18 for fifty-one hours. One of the bosses said he would have to send to Vancouver for men. He afterwards said he did not like to do it, but he would have to send to Seattle for men.

Q. He could not get men in one place by reason of your belonging to one union ?—A. Yes. If the strike were prolonged over any reasonable time it would be known all over and no person would come. In the *Blacksmiths' Journal,* published in Illinois, there is a little article—'Our duty toward our employers.' We want employers to organize. That is a recent effect of the strike in Victoria. Now they are organized, and we help them to fix the prices.

Q. If they formed an international organization and they sent to Seattle to get men, if there was a strike here and you went to Seattle to get work, these employers would not take you ?—A. Oh, yes.

Q. Suppose the employers were organized ?—A. Certainly, we want them to organize, if it is a legitimate organization. The difficulty here—our difficulty was to get the men to organize.

Q. I want to point out that the employers would organize an international union. For instance, suppose there was a strike here and you wanted to get work and went to Seattle to get work would not the employer there refuse to take you on, if you had left it here ?—A. I don't know. They would have great difficulty in keeping track of the men.

By Mr. Rowe :

Q. The employers here would not have difficulty in sending over a list of the men ?—A. That has never happened. I think when a man wants men he will hire them. That would rest wholly with the foreman.

Q. How do the wages here compare with wages in other parts of Canada ?—A. Much higher than was awarded the men up at Fernie by the commission, where cost of living is higher and where they should have higher wages than they have here. They have been giving $3 a day for ten hours.

Q. Do you know anything about labour conditions in this province as compared with other provinces ?—A. I don't know. I know more with regard to Victoria ; I have been through the Kootenays.

Q. Say compared with the state of Washington or the provinces of the east ?—A. They would be much the same as Seattle and Tacoma—about the same here as in Portland.

Q. You do not know as to the east ?—A. Yes, I have worked in Toronto. The foreman in the shop where I worked got only $2. In another place in Jackson he got $2.50, both men about equal. The same man would get $3.75 here. Then the cost of living was lower there than here. Rent would be higher there, but board was lower than here. It was when I left.

Q. So you would think, speaking generally, that the conditions in British Columbia of workingmen would be as good as in any other province ?—A. About the same.

He gets a little more than along the Canadian Pacific Railway. They have perhaps as good or better than $3.25 in the east. I don't know about the cost of living.

Q. Do you think that belonging to an international union narrows your sense of citizenship ?—A. No, I think it enlarges it. I think it will not be long when you will find that union men won't fight with each other.

Q. It tends to make a more friendly feeling ?—A. Yes.

Q. Some unions seem to regard that there is nothing in common between employers and employees—that there is hostility between the two interests ?—A. Yes, but there is no occasion for trouble between the two. The interest of the one is the interest of the other. That is how our strike was probably settled. A letter was drafted to show them. We had come together and we wanted them to organize, and we would assist them in having them do what was right.

Q. To bring the refractory employers to time ?—A. Yes. There are some with a tendency to take advantage of the others. Our letter showed our attitude towards them. The man who moved the resolution to prolong the strike said he wished he had been to the last meeting.

Q. How would you assist them in a matter of that sort ?—A. They might not approve of the way we could assist them. I might say that if one boss was known to cut prices or to do anything contrary to legitimate trade, that it would be made known to the blacksmiths' union, and he would be an unfair man. You see the drivers who get the horses shod, they might have a preference—they belong to the clerks' union or the teamsters' union, and they all want to see uniform prices, and in that way we could assist them.

By Mr. Bodwell :

Q. Your union—the United States part of it—is a pretty large body ?—A. Yes.

Q. Do you know whether there is organization among the employers to any extent? —A. We tried to get them. We urged in our journal the necessity of them organizing.

Q. You don't know whether it has been taken up by them to any extent ?—A. No, I don't know. If they organized and we could help them and had the members on a proper footing we could get reasonable wages, by working together.

Q. But if you worked together it would be hard on the public ?—A. The public work together, and there would be no special difference for anybody. I might say the employers have a clubbing arrangement, and they went outside of their own organization to get a member of the union to draw it up for them.

By Mr. Rowe :

Q. To what extent have labour-saving appliances displaced labour,?—A. I have never made an estimate—never saw an estimate. The unskilled man can do skilled work now. An ordinary man can handle a machine if he has any intelligence.

By His Lordship :

Q. Is it not a fact that the more labour-saving machines introduced invariably results in a greater demand for labour in the long run ?—A. Nevertheless we find a large quantity of unemployed throughout the world.

Q. Your suggestion is, that more men should work a less number of hours?—A. Divide the men according to the work, whenever there is a surplus of men who cannot get work.

By Mr. Bodwell:

Q. Your idea would be to shorten the hours, when you have surplus labour?—A. To give them a chance to live.

Q. Suppose your case. You get the day down to such a time that the ordinary business of the year would keep every blacksmith employed. Suppose the blacksmiths say: We want more wages. The employer has no surplus labour to resort to?—A. No.

Q. The result would be, there is no competition in labour, and gives the union power to dictate the wages?—A. We study it over and see what is the interest of the employer and ourselves. If we ask what is unreasonable, we place both himself and ourselves at a disadvantage.

Q. You don't think the labour men would push that advantage?—A. No.

Q. You will admit that would place him in a position to push his demands to the last limit? You would have to rely on the generosity of others?—A. Always some person has to rely on the reasonableness of others.

VICTORIA, May 14, 1903.

ARTHUR B. BULLEY, recalled.

HIS LORDSHIP.—I understand, Mr. Bodwell, that you are appearing for the E. & N. corporation in regard to the strike at Ladysmith, and also in connection with any evidence to throw light on the withdrawal of the men from the E. & N. boats. These are the parties for whom you appear?

MR. BODWELL.—At present. I understand I am to have another retainer.

HIS LORDSHIP.—We will expect you to confine your examination to matters relating to the parties for whom you act.

MR. BODWELL.—I have been doing that, except where the commission has wished me to assist them in other matters. If a witness is called on any subject, and I think his evidence would throw any light on matters in which I am interested, I would consider I had the right to examine on that point.

HIS LORDSHIP.—The Commission is placed in an embarrassing position with only one counsel. Some of the outside people may get the idea that you are running the commission. On the other hand, without counsel, as one or other of the commissioners must ask questions, matters move in a certain direction, and with counsel on both sides, matters are facilitated. It is the position of the commission to listen, and not ask questions.

WITNESS.—We are hardly in a position to employ counsel. We have been out on strike for quite a while, and counsels' scale of wages are a little high. I think it will be only fair to both parties to have counsel excluded.

HIS LORDSHIP.—You have a perfect right to make any statements in the box which you think should be made.

WITNESS.—I would like to ask that the case of George Estes be ruled out of this. To bring this up I would like to know as well Mr. Bodwell's action in bringing in the C.P.R. and C.P.N. I think it is really putting me in a very bad light.

HIS LORDSHIP.—I think you are quite able to take care of yourself.

WITNESS.—In this case I would like to tell the truth, but to run a string of questions on me that might be very easily turned into something else would put me in a false light, by me saying yes or no to confusing questions.

MR. BODWELL.—I will not permit you to say that I am acting from any improper motive.

HIS LORDSHIP.—A lawyer is really no good to his client unless he is able to somewhat mix up a witness. It is the duty of the commissioners to take care they don't

receive a wrong impression from the evidence. A very large discount is placed on this. You need not be at all alarmed at any evidence you may give.

WITNESS.—In this morning's press it says that the witness admitted that the union would have struck even if Captain Troupe had made the agreement, which is not so. You must understand that a number of men who don't wish to work unfair are hard to control and I could only follow the dictations of these men. I might use my influence as I told Captain Troupe, which I did. In this case I might state that Captain Troupe was notified that they would not handle any unfair baggage, and Captain Troupe told one of our men that he was willing to live up to it, and afterwards when we went over to Vancouver for fear the boat would be used for the carrying of that kind of stuff we interviewed Captain Troupe, and he gave us both to understand then that he had received our letter, and that if he at any time put unfair stuff on board he would expect the men would walk off. That is what he himself stated. On the Friday following this unfair stuff was placed on the boat, and the captain was notified of the fact and of the agreement or understanding between Captain Troupe and the union. We notified these men that we would go out in Victoria. On our way over Captain Troupe made a proposal to me. The facts of that are in the agreement placed before the commission yesterday. We had a special meeting that night, and that as it was a mistake as far as Captain Troupe was concerned we agreed to run the boats. On the Saturday night following unfair stuff was put on the *Princess May*, and there was trouble there. The secretary wired that the agreement was broken and to order out the fleet. I went over, I saw Captain Troupe the next morning, and as far as I was able to tell I understood that I would be backed up by the men, but I would have to get the approval of the union. On the voyage over on Monday there was quite a lot of scab stuff on——

By His Lorship :

Q. How would you be able to tell that ?—A. By the quantity on the boat. Goods coming down from the town were carried by non-union teamsters to the dock and this was declared unfair. In consequence of this, and the breaking of the agreement the men walked out.

Q. You took the position you would not handle the unfair stuff ?—A. Yes, and Captain Troupe made an agreement under which he agreed not to handle unfair stuff. It was alleged that we intended to go out whether or no, and it put us in a very bad light.

Q. Your suggestion is that Captain Troupe agreed he would not carry any freight from the wharf so long as the teamsters were out in Vancouver ?—A. Yes.

Q. Any one of these organizations that were out could decline to take unfair stuff ?—A. In their line of business.

Q. And if they did so all other unions would be obliged to accept that position and not have any dealings with the freight as long as it was unfair ?—A. Yes, so long as it was unfair.

By Mr. Bodwell :

Q. Was not the agreement that you would not strike without twelve hours' notice ?—A. Personally it was.

Q. You were acting for the Seamen's Union then ?—A. Yes.

Q. You were not to strike without twelve hours' notice ?—A. We agreed to go on and run the boat. Captain Troupe told us that any time unfair stuff was put on the boat he expected the men would walk off.

By His Lordship :

Q. Is this agreement in writing ?—A. Part of it is. That was a verbal agreement between ourselves.

ARTHUR B. BULLEY—Victoria, May 14.

By Mr. Bodwell :

Q. Captain Troupe agreed that he would not carry any unfair freight ?—A. Yes.

Q. And all freight that was delivered at that wharf was unfair ?—A. Yes.

Q. Was not the agreement that you men agreed that you would not strike without 12 hours' notice, and Captain Troupe agreed not to dismiss you without 12 hours' notice ?—A. No, I don't think so.

Q. Do you say that Captain Troupe agreed he would not carry any unfair freight ?—A. Yes.

Q. And that the whole of the freight delivered at the wharf was unfair ?—A That is my idea of the agreement.

Q. The fact is you came here on the *Louise*, arriving in Victoria on March 10 about 9 ?—A. Yes.

Q. And that you gave Captain Troupe no notice whatever that you were even going to hold a meeting ?—A. I gave him no notice—it was not necessary.

Q. You had your meeting ?—A. Yes.

Q. And about 11 o'clock at night you went down yourself or was it Thompson—to the *Charmer* ?—A. I went myself to the *Charmer*. I said a strike had been declared.

Q. And that they had to come out ?—A. They could do as they liked about that.

Q. Did you send any word to Captain Troupe ?—A. No.

Q. The idea was you would stop the *Charmer* making that trip ?—A. I had no idea of that. I had nothing at all to do with that.

Q. You stopped the *Danube* ?—A. I know nothing about who went down there.

Q. Don't you know as a matter of fact that the *Danube* did not go out that night ?—A. Yes, I know she didn't go out.

Q. Don't you know the *Charmer* was delayed ?—A. Yes, 45 minutes.

Q. And that she had to go out without a sufficient crew ?—A. I don't know as to that.

Q. Didn't you try to get the engineers out ?—A. No.

Q. Didn't you ask the quartermaster to come out ?—A. No.

Q. Who spoke to the men—what member of the union ?—A. I don't know. I went down to the *Charmer* and got my clothes. I went to the room I occupied and back out with my clothes.

Q. Where did you go when you told the men a strike was declared ?—A. I told the ones I met on the way to my room. I went straight home. I might have spoken to my brother.

Q. Who was the man sent down from the lodge to notify the *Charmer* men ?—A. I don't know of any.

Q. You said once that a great many of the crew were at the meeting ?—A. I don't know that there was. The *Charmer's* men would be all over town.

Q. How long were you on the *Charmer* ?—A. About six minutes.

Q. And you don't know the *Charmer* crew ?—A. Yes, I know them.

Q. How large a room is it where you had the meeting ?—A. The Eagle Hall, I cannot say—possibly as large as this. In a large meeting I could not tell you.

Q. You didn't know the crew of the *Charmer* was there ?—A. With the exception of my own brother I don't remember any one positively. I might suppose they were there, and not be aware of the fact. I did not give the fact any attention.

Q. Was it necessary for somebody to notify the *Charmer's* crew ? Did anybody notify them ?—A. I know of no one.

Q. You don't know they were at the meeting ?—A. I paid no attention at the meeting.

Q. No one notified the men, and yet they all went out ?—A. I don't know.

Q. Was any one appointed to go down ?—A. I was not. I don't know. I was at the meeting and did not know of anybody being appointed.

ARTHUR B. BULLEY—Victoria, May 14.

Q. It is a most remarkable thing that the men walked out ?—A. It is only a matter of fact.

By Mr. Rowe :

Q. Were some of these men at the meeting ?—A. I could only speak of one man positively, and that was my brother. You could not tell men in a church—you could not say.

By His Lordship :

Q. How many people were there on the boat ?—A. I could not say. I told everybody I met, and in that way the news of the strike would very likely spread. As a matter of fact there were very few men on the *Charmer*, and when the men decided to come out the news would spread easily. I did not bother about it.

By Mr. Rowe :

Q. You say that Captain Troupe said to you that the moment the company broke the agreement you were to be at liberty to walk out ?—A. Yes. He told our agent, Mr. Thompson. We believed that Captain Troupe would live up to the agreement. He had broken his part.

Q. The agreement is dated March 14 ?—A. Yes, it was after that. It was on Friday.

Q. The strike took place on Monday night ?—A. Yes.

Q. Would it not have been possible for any freight to have reached the *Charmer* without being unfair ?—A. If a man had carried it down himself ?

Q. If expressmen had come down ?—A. No, no union express men would go near the dock.

Q. If any one other than the owner delivered it it would be unfair ?—A. Yes.

Q. I want to know whether it would have been possible for anything to have reached the *Charmer* at all ?—A. Yes, it was. On trains coming from the east the baggageman is a fair man, and baggageman would come through provided the men in the station did not touch it, and it would come on the boat and come across fair. Express parcels the same—Dominion express only excluded.

Q. This baggageman you say was fair ?—A. On the train. The man on the platform was unfair.

Q. The crew of the *Charmer* could go to the train ?—A. Yes.

Q. The reason the baggageman was fair was because his craft was not included in the U.B.R.E.?—A. It was really a different class of work altogether. When they handled the baggage it was on the train, and in no way connected with the baggage on the station. There is another point to be looked at. Had the freight been put on the trucks after a strike of the freight handlers and longshoremen to do that work he would become unfair—he would be a substitute.

By His Lordship :

Q. You say you undertook, as far as you could on behalf of the men to give twelve hours' notice. You gave this undertaking on Sunday, and yet you went out on Monday without giving notice ?—A. If it was unfair to him it was unfair to me. I was powerless. I did not know Captain Troupe's residence. I never took that into consideration.

By Mr. Bodwell :

Q. The arrangement to hold this meeting was made on the way down from Vancouver—you told us in the police court. You ordered the meeting before you left Vancouver ?—A. I forget that circumstance.

ARTHUR B. BULLEY—Victoria, May 14.

Q. Did you order the meeting before you left Vancouver ?—A. I am not really sure.

Q. You don't remember whether you said it or not ?—A. I forget all about it.

Q. Would you admit it if I showed that you had said it ?—A. I don't remember.

Q. You did have a talk about the matter on the way down ?—A. I cannot remember.

Q. You don't remember swearing that once before ?—A. No, really.

Q. Do you remember that you ordered a meeting to be held by telegram before you left Vancouver ?—A. Whether I said so or not is something I don't remember. It is very hard to follow a little matter of detail like that.

By Mr. Rowe :

Q. You say the meeting ordering the strike was on the evening of that Monday ? —A. Yes.

Q. Was there action taken on the fact that you had been bound in a personal agreement with Captain Troupe ?—A. I placed it before them.

By His Lordship :

Q. What did they say about that ?—A. They decided to come out, whether or no.

Q. Don't you think that kind of thing is calculated to raise a prejudice—if unions won't keep their promises ?—A. There is another thing to look at—that we were not expecting this—that 12 hours' notice would be given us. It was believed that no freight would come on the boat but what was fair.

Q. When you are led into a contract of this sort you should consider the public ? —A. So should the company.

Q. The company tried to carry the freight, but you would not ?—A. They were going to do it to the disadvantage of the men.

By Mr. Bodwell :

Q. I understand that your action was taken in view of the suspicion that the company were prepared to displace you with other crews so that they would be released from the agreement ?—A. Yes.

Q. Did you expect them to get these men ?—A. I certainly did.

Q. Did you not say in your evidence in the police court—

'Q. What did you call the meeting for ? Didn't you call the meeting for the purpose of striking ?—A. Yes, sir.

'Q. Didn't you issue a call on the wire to that effect ?—A. Yes.'

Q. Didn't you say that ?—A. If that is my evidence, yes.

Q. The meeting you were to call was to discuss the question of this agreement ?— A. To the best of my belief.

Q. Did you give Captain Troupe or any officer on the boat any notice that the meeting was to be called ?—A. No, I did not.

Q. When you came to Victoria you had a meeting, and you did not give Captain Troupe notice that the meeting was being called or held ?—A. I met Captain Troupe on the dock. I told him the men had decided to go out—when I went down for my clothes.

Q. About one o'clock that night ?—A. To the best of my belief.

Q. You arranged for that meeting before you left Vancouver, you discussed it on the way down, you arrived at Victoria, you held a meeting after getting there, some time between 11 and 12, you went down in your official capacity to notify the men ?— A. I beg to differ.

Q. Didn't you say you went down in your official capacity ?—A. I don't know whether that was so. I went down to get my clothes.

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Q. Did you come down in your official capacity to notify the men that the strike was on?—A. I don't know that I did.

Q. Did you ever say you did?—A. I don't remember.

Q. Would it be my mistake, your mistake, or the mistake of the stenographer?—A. The real fact is simply this: that after this meeting was over I went down to get my clothes, and you are trying to make capital out of the fact that I was chairman of the association.

By His Lordship:

Q. Your personal influence was rather against the strike?—A. Yes.

Q. And you had to come into the view of the union?—A. I had to.

By Mr. Bodwell:

Q. And you simply went down to the *Charmer* to get your clothes?—A. No one was selected by the lodge to go down.

Q. Was that because the men of the *Charmer* were all at the meeting?—A. I don't remember as to that.

Q. Were you at the public meeting?—A. Yes.

Q. Did you hear Estes say with reference to the strike in Vancouver—'the Labour Council of Vancouver, composed of 37 unions has endorsed the cause of the strikers'?—A. Something to that effect.

Q. Did you understand that to mean there were 37 unions in that strike, sympathetically or otherwise?—A. No. I understood it to be that the Trades and Labour Council is composed of those different representatives from different unions.

Q. How many unions were represented in that headquarters committee?—A. Four, I believe striking unions—the B.C. Steamshipmen's Society, the Longshoremen's Union, the Teamsters' Union and the U.B.R.E.

Q. What did the U.B.R.E. include—the railway employees not in any other union?—A. They will take in anything I believe—from the man who walks on the track to the engineer.

Q. The result was that no man could work—none of the local men engaged in Vancouver, either in the business of carrying the ordinary freight to the railway, or engaged in the transportation of coal for the railway companies, and be fair—was that not the fact?—A. I believe it was.

Q. Didn't it extend so far that the *Czar*, engaged in bringing coal over from Nanaimo, was tied up—that is true?—A. I believe she was tied up alongside the wharf.

Q. You know what tied up means. As a matter of fact, were the men working on that tug directed to go out on strike?—A. I am not aware of the fact.

Q. They came out on strike?—A. I believe they did.

Q. The result of that was that no coal could be carried to Vancouver—it came to that pitch, didn't it?—A. Not to my knowledge.

Q. You didn't know that?—A. Only afterwards.

Q. And would have stayed so, only Mr. Marpole made a special arrangement with Mr. Estes?—A. I object to that. Mr. Estes had nothing to do with our society at all. Mr. Estes—it was impossible for him to make any agreement regarding the steamshipmen.

Q. Is this true? I will read from the evidence given by Mr. Marpole in the police court:

'At the door of the hall I met Mr. Thompson and explained the situation to him, and Mr. Thompson told me that at a meeting of the executive that afternoon it had been decided that no coal should come to Vancouver, but the matter was now out of his hands, and we would have to see Mr. Estes. So, from there, accompanied by Mr.

Thompson, we went down to the Commercial Hotel; we were introduced to Mr. Estes, and I explained to him why we came down there, and he said that he did not see any use in opening up the discussion, as, at a meeting that afternoon or some time that day, it had been decided that no coal should come to Vancouver. I then asked Mr. Estes if he meant by that that all the coal merchants of Vancouver were to be cut off of their supply, and he said, yes. I then explained to Mr. Estes the hardship that would impose on the public; and he replied that there was nobody more sorry than he was that such a hardship should be imposed, but that strikes usually brought about that condition of affairs, and that it was the only way they could bring pressure to bear on the strike. I then told Mr. Estes, if the *Czar* was not released—if we could not get an order to release the *Czar,* we would have to do the best we could to get her away from Vancouver, and failing that, we would have to advertise to the public the reason we could not get coal was because the U.B.R.E. would not allow it. Mr. Estes then referred to an advertisement that we inserted in the U.B.R.E. pamphlet some time previous to that, and said that, as we had stood by the U.B.R.E. to that extent, that he would be willing to let the *Czar* go, provided we would guarantee that she would take no freight out, nor bring coal into Vancouver for the C.P.R. I asked Mr. Estes to write out that agreement, which he did, and I signed it." '

Q. That was the true state of affairs, was it not?—A. I don't know anything about it.

Q. Were you not in the police court when that statement was made?—A. I was not.

Q. From your knowledge of the conditions, would you say that was the correct state of affairs?—A. I would say that the man told a deliberate falsehood, for the simple reason that Estes had no connection with our union. To the best of my belief, Mr. Estes had no right to sign an agreement.

Q. Mr. E. W. Thompson is president of the Vancouver branch of your society? You know Mr. Thompson was present at that interview?—A. I don't remember anything about that.

Q. Were you not in the police court? Don't you know, as a matter of fact, that he was there?—A. I heard something about this agreement.

Q. Who did you hear talking about the agreement?—A. There was some talk by Mr. Brooke.

Q. Didn't you hear Mr. Brooke say Mr. Thompson was there?—A. No, I didn't hear him.

Q. I ask you, from your knowledge of the circumstances, whether that is a true statement, or not?—A. I don't know anything about it.

By His Lordship:

Q. I suppose you have no reason to doubt that the *Czar* was enabled to carry coal by some understanding with Mr. Estes?—A. I know nothing about it. Mr. Estes represents the U.B.R.E.

By Mr. Bodwell:

Q. Why did you go to Vancouver and consult Mr. Estes with reference to the strike, yourself?—A. I wanted to know the merits of their side of the case.

Q. Will you say that Mr. Estes was not present at the discussion which took place at the headquarters committee when you were there?—A. Sometimes he was.

Q. And he took part in the discussion and took your side once, didn't he?—A. I think he did.

Q. Now you suggest that Mr. Estes was not interested in that strike?—A. I say he was not. He is not, and never was.

Q. The U.B.R.E. were the people who called the strike?—A. In the first place.

Q. And they were the people with him when the negotiations took place with reference to the settlement of the strike?—A. No, I cannot say that.

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Q. You don't remember hearing Mr. Lockyer and Mr. Skene, members of the Board of Trade?—A. I think they are apt to be mistaken.

Q. And that Mr. Estes at the meeting was the spokesman ?—A. I don't know.

Q. I am asking you whether Mr. Lockyer and Mr. Skene were telling a falsehood? —A. I don't know.

Q. Do you know about that being the condition of things—that there was an attempt to settle the strike, and that the spokesman and head was Mr. Estes?—A. I think there is liable to be a misunderstanding.

By His Lordship:

Q. Would you call Mr. Estes the leader of the strike?—A. No, he might be one of the principal speakers, but I would say he is not a leader.

By Mr. Bodwell:

Q. Why did they send over Mr. Estes?—A. That is the U.B.R.E.'s business—not mine.

Q. You knew the Board of Trade got their arbitration committee to bring about a settlement between the U.B.R.E.?—A. I have been told so.

Q. And that they had several meetings in that connection?—A. I have been told so.

Q. Did they not deal with Mr. Estes as the man who was the representative of the strikers?—A. I cannot say so.

Q. Would you be surprised that this statement was made to them. (Quotes from evidence of Mr. Skene.)

Q. At the meeting which was held where the strikers' committee were present with Mr. Estes, did anything come under your observation, and if so, what, with reference to Mr. Estes' position among the strikers?—A. He seemed to be the head man at the time.'

Q. Would Mr. Skene be liable to tell a falsehood ?—A. It is different. In the first place, you say that Mr. Marpole said that Mr. Estes signed a release of the *Czar*, and I say he had no right to do so.

Q. At this meeting with the arbitration committee there was a proposal drawn up in writing?—A. I am not sure—I don't remember.

Q. And if you found out that Mr. Estes was the man who settled that agreement on behalf of the strikers what would you say as to his position among the strikers ?—A. I don't know.

Q. Suppose Mr. Lockyer, president of the Board of Trade, were to say :—(Quotes)

'Q. You spoke of a document. Who practically settled the terms of that document on behalf of the strikers ?—A. Well, it was drawn up—it is only right to say it was drawn up, and in a great many cases the phraseology was altered at Mr. Estes' own proposition himself.'

Q. You don't know that statement is true ?—A. No, I would not make that statement.

Q. Do you admit that these things are true ?—A. I don't know anything about them.

Q. Ever hear that before ?—A. Don't know that I did.

By His Lordship :

Q. You went to see Mr. Estes yourself ?—A. Yes. But you might put it in this light. Suppose we say that the C.P.N. had to draw up some kind of an agreement, and Mr. Bodwell was called in to draw up an agreement, would he be president or leader of the C.P.N. ?

Q. The difficulty is that Mr. Estes' position is different. Will you tell us just what Mr. Estes is ?—A. He is president of the U.B.R.E.

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Q. Is he there in an advisory capacity ?—A. In relation to our strike.

Q. You said you went over to get the facts of the U.B.R.E. strike, and you selected Mr. Estes ?—A. Yes.

Q. And is that not a pretty good indication that Mr. Estes is the leader of the strike ? Are we not justified in thinking that ?—A. I suppose you are. I could not say Mr. Estes is the leader of the strike.

Q. He is the president of the U.B.R.E.?—A. Yes, but there are other men.

By Mr. Rowe :

Q. Did Mr. Estes give you any assurance of financial assistance ?—A. He might have done so; I don't remember.

By His Lordship :

Q. Did you ever discuss the question with him ?—A. I believe I have. Anything in the way of financial assistance has always come before the executive committee of the combined strikers.

Q. Have the U.B.R.E. a strike fund at headquarters ?—A. Not that I know of.

Q. He would have some influence upon the action of the men because of his position ?—A. Mr. Estes is really at the beck and call of the joint executive at Vancouver. If they say, go to Winnipeg, he has to go. He is at the disposal of the executive board of the joint strikers at the present time. I don't know in what particular capacity. Suppose they want him to go and lecture at any one point. If they send him he has to go. I don't know that the combined strikers pay him.

Q. Has your association got a representative on that joint board ?—A. Yes, I sat on it myself.

Q. Don't you know his relations with that board ?—A. I never troubled myself to get access to their minutes.

By Mr. Bodwell:

Q. He said he gave up a position of $300 a month to take one at $125 for the U.B.R.E. ?—A. I don't know as to that.

Q. You know that he is a paid official of the U.B.R.E. and has his travelling expenses paid by that body ?—A.You know it is unfair to ask me anything in connection with the U.B.R.E., although I am willing to give you anything I know, and anything in connection with Mr. Estes it is only right that that man should have a chance of answering for himself.

By His Lordship :

Q. What we want to understand is the exact nature or connection in this strike between that body and your body. It looks as if Mr. Estes was the engineer of this whole business, and that he was the man who procured the tying up of the *Czar* ?—A. I will tell you he was not. In the first place we knew nothing about the U.B.R.E. until the time of the strike. We heard they were organized. We were only organized here two weeks before this strike was called in Vancouver. How is it possible that us people not knowing anything about Mr. Estes could be influenced by him ? The connection between the two bodies is this : we always fight shy of anything unfair.

By Mr. Rowe :

Q. Do you know, as a matter of personal knowledge, when the first trouble occurred between the U.B.R.E. ?—A. No.

Q. Who was it that promoted the organization of your union here ?—A. It was really a necessity of the members who had joined the Vancouver division. We thought it would be better to have a branch in Victoria.

Q. When was the Vancouver part organized ?—A. I believe there has been a union for over ten years. When we came over to Victoria I was made chairman. Our society has been in existence two weeks before the strike.

Q. Was the organization here suggested by the idea that there was likely to be trouble with the C.P.R. ?—A. No, it was a matter of convenience.

Q. Do you know where the suggestion came from that you should take a hand in the dispute of the C.P.R. ?—A. We knew there were a lot of unfair men on the wharf. It arose among the men themselves. Just a matter of man to man.

Q. Would you discharge goods on to an unfair dock ?—A. That is a question to be left to discussion with the men, according to the merits of the case. It all depends on circumstances. If the dock was unfair and there would be unfair longshoremen working on it, and the crew worked with them they would be unfair, and would refuse to do it.

Q. I don't understand how your union which is young, should have taken this attitude when old unions associated with this work did not. For instance, take the men on the trains ?—A. They would decide among themselves. One union might take a different view. Take the engineers and firemen's unions. They recognize no other unions except themselves. They make agreements entirely by themselves. Suppose they went on strike——

By His Lordship :

Q. You would not strike in sympathy with them ?—A. We have never had an opportunity. I would never work unfair.

Q. Just what the public wants to know is how far these sympathetic strikes are liable to go. You have taken up a battle in which you are not concerned. The public want to know the limits of this kind of thing ?—A. You must understand that I have a wife and family dependent upon me, and am interested also. We will say, for instance, the U.B.R.E. come out; I will know they would be sensible men, and as a matter of fact that these men would never come out as a body without they first understood what they were doing. I would not go on strike without I thought they were right.

Q. It is a quarrel in which you are not at all interested. You are doing it out of sympathy ?—A. It is to our interests to see that unionism is kept up. If one union is beaten, sooner or later it will affect others.

Q. You went into the strike without knowing anything really as to the merits ?—A. I believe I should have a chance of belonging to the union. The demands are published, and all that is asked of the C.P.R. is that they will not discriminate against members of the U.B.R.E., and will allow them to organize employees of the C.P.R. into their union.

Q. They say it originated in a man disobeying the regulations of the company ?—A. The C.P.R. say so. They certainly make their side good.

Q. But you went into this strike without hearing what the C.P.R. had to say. The public have an interest in finding out how far this sympathetic strike is to be allowed. You people are not the only people concerned in these matters ?—A. It concerns us as much as anyone else.

Q. Do you know whether it is proposed to call out other crafts ?—A. I don't know as to that at all.

Q. Is there any reason you know of why there should be more labour disturbances in British Columbia than other parts of Canada ?—A. The only reason I can see is simply that capital itself has got more control and is more arbitrary in its demands—when a corporation like the C.P.R. says a man cannot belong to a union.

Q. Do you say that the C.P.R. or any other corporation have the right to employ non-union men if they want to ?—A. If bodies like the C.P.R. have the right to organize capital, labour has a right to organize.

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Q. We want to find out the opinions of union men whether it is right for employers to employ non-union men?—A. Provided he does not discriminate against union men.

Q. Surely an employer has the right to say whether he shall employ union men or non-union men?—A. It leaves a chance of discrimination in favour of non-union men against union men. Suppose we say now that there is a possibility of the men in his line of business would not be union men. If the men were giving good service it would look a little foolish if in taking on men an employer would reject union men and take on non-union men. On the steamer *Joan* the reason of our trouble there was four of our men were working in the capacity of deckhands on that boat for several months and gave every satisfaction. The captain when he heard of them being union men, tore up the book and told them to get to hell and get out. He was paying them $40 a month and four men were hired at $45 to take their places.

By Mr. Bodwell:

Q. Do you remember there was a fireman on the *Charmer*—one of the most competent men they had, and that a delegation from your lodge went down one night and insisted on that man coming off the boat because he was not a member of the union?—A. The fireman was my brother, and I was on strike against my brother.

Q. And you insisted on his coming off the boat?—A. Yes, because he would not join the union.

Q. You insisted on his coming off or else the men would strike?—A. Yes—my brother, Alfred H. Bulley.

Q. The captain had the option of tying up the *Charmer* or putting that man off the boat?—A. I suppose that is so.

Q. Do you remember a man named L. M. Bell who did not want to join the union and had to go to Dawson and leave his family here?—A. If it is Mr. Devril, when he was asked to join the union he said yes.

Q. You are talking about another man?—A. That is the man who was known as Little Billy.

Q. And you say he went into the union immediately he was asked?—A. Yes—William Devril.

Q. I would like to know the names of the men on the *Joan* when this event occurred?—A. I am not prepared to give the names. I don't know the names. The men are in Vancouver. It occurred the same day as we came out on strike.

Q. You had published to the world that you were going to tie up all boats?—A. I don't know that they did.

Q. Mr. Estes was here for that purpose and told us that?—A. No, and he never said so.

Q. No words to that effect?—A. No, sir—that he was going to tie up the Dunsmuir boats.

Q. That is what your institution was out to do—you don't remember saying that?—A. I don't remember.

Q. Mr. C. W. Thomson, president of the association, didn't say so?—A. I don't remember.

Q. You didn't say the idea was to extend the influence of that strike over the whole of British Columbia?—A. I don't know that I did.

Q. That was the idea—to stop the Dunsmuir boats, the C.P.N. and other boats that were carrying coal to the C.P.R.?—A. We would not have any of our men work unfair.

Q. It was after that determination was come to that these men were ordered off the *Joan*?—A. No, sir.

Q. When was it that they were ordered off?—A. On the same Monday, I believe—Monday, the 16th, before any strike was called at all.

Q. Don't you know that it was known that Mr. Estes was coming over here before you came—you would be suprised to know that Mr. Estes was on the way to tie up this institution ?—A. I would be surprised.

Q. Do you suppose Mr. Dunsmuir did not know that Estes was on the way to Victoria for the purpose, if possible, of tying up this fleet?—A. I will swear that Mr. Dunsmuir, or any other man, would not know that Mr. Estes was on his way, twelve hours before he started. He was asked to come.

Q. Who asked him to come?—A. I did. I asked Mr. Estes to come to Victoria.

Q. For what purpose?—A. My intention was this: Victoria was getting, through the press, a very garbled account of the strike, and I wanted Mr. Estes to appear at a public meeting and tell the people exactly how the matter stood. Why should we, as labouring men, be so bound down to capitalists simply because he has a power over us? We have a right to put down our side of the case in as good a manner as possible.

By His Lordship:

Q. I think the very fact that this Commission is appointed is testimony of the ability of the workingmen to raise questions, if they see fit?—A. Suppose we did not raise any trouble?

Q. What this commission is here to find out is the limit of your rights in the public interest ?—A. Would it not also include the rights and limits of capitalists ?

Q. We are here to deal with capitalists also. We would like to know the object of Mr. Estes' visit?—A. To present the case to the public. He said, as near as I can remember, that he did not order strikes and was much against strikes. I thought he was putting cold water on the subject and confusing things.

By Mr. Rowe:

Q. You would have liked to have seen him warmer?—A. One way or other.

Q. Did he offer you financial assistance?—A. I don't know that he did.

Q. I asked you if there is any reason why there should be strikes in British Columbia more than other places. Do you think working-people are oppressed unduly, as compared with other localities?—A. As near as I can see, the labour union movement is gaining a little headway in British Columbia, and the capitalists are doing their best to stop this.

Q. Speaking generally, do you think labour is as good a commodity in British Columbia as in other places?—A. I think so.

Q. And that a man having labour to sell is likely to sell it to as good advantage in British Columbia as in other places?—A. About the same, taking into consideration the cost of living. The fact of what your money will buy is about the same as in Montreal. You may make more money here.

Q. What would your wages be in Montreal?—A. I got $1.25 in the Dominion Cotton Mills—I was not employed on a steamboat in Montreal.

Q. What do you get here on the boats?—A. $50 a month and my board.

Q. What did you pay for rent in Montreal, and what here?—A. From $5 to $7.50 a month. We pay $5 for a very inferior place. You can get a brick house in Montreal for $5 or $6. I had a place there with a large hall, parlour, dining-room, three or four bedrooms, kitchen and woodshed for $5 a month. I paid the water rates, which amounted to $5.25 a year.

Q. The necessaries of life are dearer here than there?—A. I think they are, on the whole. It costs more to live.

Q. You think the purchasing power of your wages is about the same as in Montreal?—A. Yes, when I was there.

Q. The cost of living has increased, I understand?—A. And wages have come up in proportion.

Q. About 15 per cent, I understand ?—A. Yes, the wages have come up in proportion. Men on the street who were getting $1.25, I believe they get $1.50.

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Q. There is no more reason for unionism in British Columbia than other places?—A. I might state that labour is organizing, and capital is trying to offset this.

Q. Is the opportunity for a man as good here as in other places?—A. I think it is.

Q. Outsiders think that labour disturbances have made conditions here very bad, and it seems to me that one duty we should perform is to get the true facts of the case before the public mind?—A. Yes, that is what we ought to do.

By His Lordship:

Q. Suppose the C.P.N. people maintain their stand—what is going to become of your people and the families? Your places are now occupied by others?—A. I don't know—the fishing season is coming on.

Q. Your positions on the boats are occupied?—A. Not satisfactorily, I don't think. We have been given to understand they are not.

Q. Where do you get your support in the meantime?—A. Partly from the advisory board and other unions in the town—not exactly on strike, but contributing to our assistance.

By Mr. Rowe:

Q. How many unions in the Trades and Labour Council have assisted you?—A. Most all of them.

Q. So most of the unions approve of your action—your action is approved by the Labour Council in the city?—A. I think it does.

Q. Have the merits of the case been presented to the different unions?—A. As nearly as possible, both in a written statement of the joint strikers published in Vancouver and statements published in the press by the strikers there—the *Independent* and other papers in the city, and at the different public meetings given by Mr. Estes himself.

By His Lordship:

Q. I suppose the strike, to be effective in any way, is to prevent the operation of the industry in which you are engaged?—A. I suppose so. It would have no effect unless we did.

Q. Do you lose a strike when the company go on operating without your men?—A. Not always.

Q. You don't lose until your men go back without a concession?—A. Without a concession, yes.

Q. Your attitude is this—that when you are not working and your men are not working on the C.P.N. boats because they are handling goods that are handled by substitute labour?—A. Yes.

Q. And so long as that condition remains, so long you will remain away from work?—A. Most decidedly.

Q. Or any other work that will bring into contact with other unfair labour?—A. Yes.

Q. And your conclusion is that a non-union man has no right to work?—A. No, they can do other work.

Q. What kind of work should they do?—A. There is always other work to do. When men come off these boats they withdraw their labour from the labour market.

Q. You quit a job whenever you see fit?—A. The point is, where do these men come from before?

Q. Your idea is that a man is unfair if he substitutes?—A. Most decidedly.

Q. If a union man chooses to drop his employment how can he expect the employer to sit still and say he would not employ any one but union men. Why should not a non-union man have a right to step in and get work?—A. I claim that if a workman his interests are identical with mine.

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Q. He does not see it in the same light as you ?—A. He may see it.

Q. Suppose your brother was expelled from the lodge and he is non-union. They can simply say you cannot work here and cannot work there, and can drive a man out of his craft. Is there no check on this—no body where appeal could be taken ?—A. The question could be brought up before the headquarters lodge.

Q. Would there be any general appeal from the action of a union—to the Trades and Labour Council for instance ?—A. Oh, no. Because you see they would be interfering with the internal workings of each local, which would spoil their sphere.

Q. There is evidently a difference in opinion as to whether this U.B.R.E. strike was justified or not. The engineers and firemen have not gone out ?—A. They recognize no other rights.

Q. Who were right ?—A. I should say the U.B.R.E. have the right to hold up their organization.

Q. And the engineers and firemen have the same right to remain in the employment of the company with unfair men, and they are still good men ?—A. As far as their own union is concerned.

Q. They are unfair people from your point of view ?—A. Most decidedly.

VICTORIA, May 14, 1903.

SHEFF THOMPSON, sworn.

By His Lordship :

Q. You live here, Mr. Thompson ?—A. Yes, sir.

Q. What is your nationality ?—A. British Columbia.

Q. Are you on the voters' list here ?—A. Yes, sir.

Q. You are connected with the same labour organization ?—A. With the steamshipmen—secretary.

Q. The same organization of which Mr. Bulley is president ?—A. Yes.

Q. You might tell us what you know about this existing strike ?—A. It came about through the company breaking an agreement—the C.P.N. Company.

Q. Was that agreement a verbal one ?—A. That is the agreement—the verbal one.

Q. Have you a copy of the oath administered ?—A. Yes.

(Oath of Steamshipmen's Union produced and marked Exhibit 6.)

Q. Is this oath administered to every one ?—A. That is the obligation that every one takes.

Q. You say the company broke an agreement ?—A. Broke it three times in one week that it was made.

By Mr. Bodwell :

Q. Were you a party to any promise made to the company that they should receive twelve hours' notice before you went out ?—A. No.

Q. There was an engagement entered into by Mr. Bulley on his own accord ?—A. It was brought before a meeting and was carried, that we should act up to the agreement, but we could not, the agreement was broken on the *Charmer* in the first place, on the *Princess May* the following Saturday and on the *Louise* the following Monday. The company broke their agreement, so that the union members could not stand it any longer and came out on strike.

Q. The agreement was entered into on Wednesday, was it ?—A. On Friday, the 14th I think it was, and we struck on the 16th or 17th.

Q. What led up to the breaking of that agreement ?—A. We saw the management and Captain Troupe. and he said he would not touch anything these men handled—what we claimed to be unfair freight. I saw Troupe several times. I went down to the *Charmer* and the mate came to me before the agreement was made, and he says, see what you can do with these men, and see if they won't put this freight on. The captain had notified the mate not to handle this stuff. If he had known this freight was unfair he would have put it ashore. I told the boys how it was, and he let it go this time, and he asked me to get four more men for him that night, so that there would be no danger of that.

Q. When was that conversation ?—A. A week before the strike—the middle of the week—the instructions were given. I have seen written instructions on the *Louise*, notifying men not to handle the stuff. The mate of the *Charmer* said he had no orders not to handle this stuff and that he would have put it ashore if he had known that. That was on the *Princess May*, and on Saturday I got a telegram that the crew was forced to handle scab freight and baggage or go to jail. I reported to the meeting. Coming down on the *Louise* there were about 25 tons of scab freight. When I went to the dock the purser came to me and said, 'the boys won't touch this freight.' This was express. The crew were not going to touch it. He showed me where the stuff had come from. I said, 'it is all right,' and it was put aboard. But there was scab stuff aboard. They called me down from the dock to show me, and Mr. Bulley and Mr. Estes, who was on the boat. They said to me, 'what are you, union men or scabs.' I said, 'union men, I guess.' They said, 'there is that freight—you know where it came from.' This was on the Monday.

By His Lordship :

Q. Estes was on the boat, was he ?—A. Yes, he was a passenger.

Q. Did Estes give you any assurance that you would receive assistance from the U.B.R.E.?—A. No.

Q. Did you have any discussion with him as to the why and wherefore of that strike ?—A. No.

By Mr. Bodwell :

Q. Why did you call the men off the E. & N. steamers ?—A. Because there were four of our members on the *Joan*, I think it was on Sunday, they notified them they would have to tear their books up or go ashore. That was in Vancouver. There were men sent from here at $45 a month. When they found out the way things were they came back on the *Louise*.

Q. Were you present at a discussion in the Steamshipmen's Union as to the advisability of going out in sympathy with the U.B.R.E.?—A. We did not come out in sympathy with the U.B.R.E. We went out because we were forced. Scab freight and baggage was forced on us.

Q. The freight would not have been scab if it had not been for the trouble between the U.B.R.E. and the C.P.R.?—A. No.

Q. So, that was really at the bottom of it?—A. It all points that way. If one union is out on strike and another union working in the same capacity from the railroad to the boat, and if there are unfair men handling that freight.

Q. It is one of the regulations of the union that you cannot handle stuff handled by unfair men?—A. That is so.

Q. That is part of the oath you take?—A. I don't know as to whether there is an obligation in the by-laws.

Q. The oath pledges you to observe the by-laws?—A. Yes.

Q. It makes no difference, then, whether the demand made by the other union is reasonable or not?—A. It is left to a meeting; it is no two-man affair. Everything has to go to a meeting. There was a discussion, and 39 to 1 was the result by a standing vote.

SHEFF THOMPSON—Victoria, May 14.

Q. Why did you not take that vote by ballot?—A. It was not necessary.

Q. Would not the men be more liable to give their opinions, if it were by ballot?—A. I don't know—it was taken by standing vote.

Q. No demand to have it taken by ballot?—A. No.

Q. It might have been less favourable, if taken by ballot?—A. No, they were all feeling pretty much the same way at that meeting.

Q. How long was the matter discussed?—A. I think the meeting was called at 10.30, and between twelve and one the motion was put and carried.

Q. You were about two hours discussing this?—A. Yes.

Q. Did anyone except your own members speak on this question?—A. Mr. Estes spoke, but he urged against a strike. He was strongly against astrike.

By Mr. Rowe:

Q. What reasons did he give?—A. He told the men to use every precaution and to thoroughly understand what they were doing.

By His Lordship:

Q. You say he advised the men to thoroughly consider the matter. Was that all he said? He didn't say not to go on strike?—A. No, not that directly.

Q. Did he say their strike would aid the cause of the U.B.R.E. or hurt it?—A. He did not say—not that I know of.

Q. How long was his speech?—A. A few minutes—it might have been ten minutes.

By Mr. Rowe:

Q. Before the vote was taken?—A. Yes.

By His Lordship:

Q. I suppose he gave you a pretty full account of the U.B.R.E. situation in Vancouver?—A. That was at a meeting afterwards.

Q. Did he explain at this first meeting?—A. No, he gave no full details.

Q. Did he explain anything about it?—A. He told us there was a strike. We knew that already.

Q. I suppose he outlined the reason for it?—A. I don't know just what he did say about it.

Q. He gave you some opinion about it?—A. He spoke of the strike.

By Mr. Rowe:

Q. Had you had the merits of the strike put before your lodge previous to this time?—A. It had been discussed.

Q. Had some one from the outside presented it and discussed it?—A. No, the boys in Vancouver and on the boats. He was the only man from the outside who made any speech about it to our lodge.

By His Lordship:

Q. How many others spoke that evening?—A. The president, and I gave in my report about the trouble on the *Princess May*, and the president of our union, I believe he spoke. There was lots of discussion on the floor.

Q. It seems to me that Mr. Estes must have spoken more than ten minutes?—A. There was my report and our chairman's report, and one thing and another. The meeting was called to report on the trouble on the *Princess May*.

Q. Did Mr. Estes say anything about supplying funds or assistance in any way?—A. Not that I know of.

Q. Did you consider the question where you were going to get aid if you went on strike?—A. No, not particularly.

Q. You had no idea how long the strike was going to last, and didn't it occur to you that the time might come when you might need funds ?—A. It did not occur to me—I don't think it occurred to any one.

Q. That is usually the case ?—A. It is a thing that did not bother the steamboatmen much as a rule. They can always get some other kind of work.

Q. You don't mean by that that you are indifferent as to whether you work at the same job ?—A. I have a number of occupations. You see, if I don't get work at that——

Q. What is your business ?—A. I am a longshoreman and steamboat man.

Q. Was the Vancouver branch out at the time ?—A. The Steamshipmen's Society? Yes, they declared a strike there when the trouble occurred on Saturday night on the *Princess May*. They went out Saturday and we went out Monday.

Q. You say you got a telegram to the effect that the men must be on the *Princess May* or go to jail ?—A. Yes, either one way or the other. I went over to find out what the trouble was. The *Princess May* had gone, and I went to headquarters—there was a meeting on Sunday night, and they explained.

Q. Did you find that to be true ?—A. Yes.

Q. Who made that threat ?—A. The officers of the ship.

Q. Did the men, acting under that, load the boat ?—A. They went to Skagway and came back, and then they went ashore at Vancouver.

Q. A case of desertion ?—A. No, not that.

Q. Do you take the position that when a union like the U. B. R. E. goes on strike a non-union man has no right to take their places ?—A. Well, I don't know as to that, of course.

Q. You think it is not right for a non-union man to get a job if he can ?—A. The people don't seem to want these jobs before a strike.

Q. I don't suppose they could very well get them if you were in a job and gave satisfaction. How far do you claim the right to exclude non-union people from getting work ?—A. We are organized as a body, and of course if a man comes on board and does not belong to the union, he is asked to join, and if he has not got the money we give him a show until he has.

Q. You don't allow him to enjoy any of the advantages of the union until he does? —A. No.

Q. This strike of the U. B. R. E. is recognized, is it not ?—A. Yes.

Q. And that involves the exclusion of non-union labour, and you think you are justified in bringing matters to such a pass that an employer should not be allowed to employ non-union men ?—A. If he employs union men. He must employ either one or the other. They won't mix.

By Mr. Rowe :

Q. Would a man who had signed articles on a ship be required to come out under such circumstances in violation of his articles ?—A. When you sign that you must give 24 hours' notice, according to the Shipping Act.

Q. Would the union think a man under obligation to ignore that notice ?—A. No, the union would not stand by him for that. He would be required to fulfil the terms of his obligation. We work by the month on these boats here—it is different.

Q. Did the union urge the men to take that trip to Skagway on the *Princess May*? —A. Yes, they were told to make that trip, and to give due notice coming back—twenty-four hours' notice.

By Mr. Bodwell :

Q. But they were first requested to strike, and the only reason they went was that Mr. Estes gave them permission to go ?—A. Mr. Estes did not give them permission.

Q. Mr. Estes made it out that he allowed these men to go ?—A. Mr. Estes is not handling our affairs.

Q. The union would have taken care of the men on that strike if the company had not given notice that they were going to enforce their legal rights ?—A. The union would not stand by any member who breaks the rules.

Q. You were quite satisfied to have these men strike on the *Princess May* ?—A. It was amongst themselves that the trouble started.

Q. They had struck ?—A. They could not strike—they were on articles and could not strike.

Q. If the men on the *Princess May* had struck, if the company had not given notice that they were going to enforce their legal rights, do you mean to say these men would not have received benefits from your union ?—A. They could not strike. They did not go out. They went up to the meeting to report, and when they were advised to fulfil their contract they went back on the vessel.

Q. Because they knew the company were going to enforce their legal rights, and they went up to headquarters and said they would have to stand the penalty of desertion, and then Mr. Estes allowed them to go back ?—A. Mr. Estes had nothing to do with it.

Q. You say Mr. Estes only spoke once at the meeting on the 16th ?—A. Just once. I am pretty sure.

Q. This is what Mr. Bulley said:—

'Q. Did Mr. Estes speak during that two hours ?—A. Yes, sir.

'Q. Towards the beginning or towards the end of the discussion ?—A. Well, from the middle to the end, I should say.'

Do you agree with that ?—A. I know he spoke once.

Q. Do you remember these statements. C. H. Thompson is the president of your society, and I was asking him if this strike in Victoria was not a part of a prescribed plan by which every C.P.R. steamer was to be tied up. Do you remember my asking about that ?—A. I heard you say something about that.

Q. I said :—

'Q. I suggest to you that the plan of campaign, as developed in the newspapers, was to tie up every steamer operating in connection with the Canadian Pacific Railway Company; is that right ?—A. Not only the C.P.N.

'Q. But including the C.P.N. ?—A. Including the C.P.N.; yes.

'Q. And every steamer which carried coal to the C.P.R. or the Empress line ?—A. To the port of Vancouver.'

I suggest to you now that that statement is correct, and that this scab freight business was merely to influence your members to come out ?—A. No, it is not so.

Q. Although your president admitted it ?—A. I knew the *Charmer* would leave that night when we came out on strike—I knew she would.

Q. You thought you had taken means to prevent her—your idea was to call off every man ?—A. Every man of our members.

Q. Didn't you try to influence the engineers ?—A. No, sir.

Q. Nobody from your society ?—A. Not that I know of. I didn't go near the *Charmer*.

Q. This was Monday night, when there were some steamers in Victoria belonging to the C.P.N.—the *Charmer*, the *Danube*, the *Tees* and the *Queen City* ?—A. Yes.

Q. That was the night you chose to strike ?—A. It was the night I came from Vancouver to give my report. It was discussed, and the strike was called by the members.

Q. Didn't your hear your president say that it was arranged at the headquarters committee on the Sunday that the meeting should be held and the strike begun that night ?—A. There was no arrangement made until I arrived Sunday night.

Q. Mr. Thompson said that this matter was arranged for Sunday night, and to strike on that night ?—A. I called the meeting. There was no meeting called until we arrived in Victoria Sunday night.

Q. Didn't you hear Mr. Thompson say that the meeting was arranged by the headquarters committee for Sunday ?—A. I didn't hear him say it.

Q. Do you know—you were in Vancouver on Sunday ?—A. Yes.

Q. Were you at the headquarters committee ?—A. I was up at our headquarters.

Q. The headquarters committee of the strike ?—A. That had nothing to do with me.

Q. Your union was represented ?—A. I went to our headquarters, I went to the Labour hall.

Q. You didn't go to the headquarters committee ?—A. I believe I did.

Q. Did you know that this meeting was arranged at the headquarters meeting ? Why did Mr. Thompson say so ?—A. There might have been something happened while I was out, but it never was arranged on Sunday.

Q. How did you know the meeting was called ? You heard Mr. Bulley say he telegraphed over to call the meeting ?—A. I did not know that. I can say that the meeting was called for Monday night.—

Q. Could any one else call the meeting ?—A. No one but the president and myself. When we arrived in Victoria on Monday night I notified the boys that we were going to have a meeting.

His Lordship.—Who composed that headquarters committee ?

Mr. Bodwell.—It was composed of representatives of the unions on strike. Mr. Bulley represents the union here, and Mr. Thompson the Seamen's Union in Vancouver.

Q. When did you call the meeting ?—A. I called the meeting Monday night by notifying the men personally. I notified the men that there was to be a special meeting of the Steamshipmen's Association of Victoria.

Q. For what purpose ?—A. So as to report the trouble on the *May*.

Q. Before you left Vancouver, didn't you know there was to be a meeting at Victoria ?—A. No, sir.

Q. It is a fact that there were several meetings of the headquarters committee on Sunday ?—A. I don't know.

Q. There was one ?—A. Yes, I was at one.

Q. The next day Mr. C. H. Thompson, who is the provincial president of your society, Mr. Estes, you and Mr. Bulley came to Victoria together ?—A. Yes.

Q. And none had been here before—that is, neither Thomson nor Estes ?—A. Yes, Thomson a dozen times, but not during the progress of the strike.

Q. And on Monday night when you arrived you found a lot of men on the wharf ?—A. Yes.

Q. On the *Charmer*, or working on the *Charmer*—they expected you ?—A. Yes, certainly.

Q. You immediately went to the Eagle Hall and held a meeting ?—A. Yes.

Q. And that happened to be the time the C. P. N. steamers were all in port ?—A. Yes, that is one of the coincidences.

Q. If you could have carried out your plan—if the company had not been able to fill your men's places—not one of the steamers could have got out ?—A. Yes, the *Charmer* left pretty near on time.

Q. You would have called out every fireman on the *Charmer* ?—A. We did.

Q. Every deckhand, every quartermaster ?—A. That belonged to the society—a quartermaster did not belong to the society—he stayed.

Q. Every one except the captain, the mate and the engineers ?—A. Yes.

Q. You would have done that with the *Danube* ?—A. We did.

Q. She did not get out. And if it had not been that after 12 o'clock Captain Troupe had been enabled to get a few men, not a vessel would have sailed from Victoria that night ? All the men on these boats belonging to your organization were called out ?—A. Yes.

Q. Without any notice ?—A. The men did not think it necessary to give any notice on account of the contract being broken with us. We thought we had a perfect right.

Q. Mr. Estes did not advise any notice ?—A. He had nothing to do with it.

Q. Thomson did not advise any notice ?—A. He had nothing to do with it.

By His Lordship :

Q. You say you were ordered out from headquarters, when ?—A. On a Saturday night. I had a telegram from Vancouver—the Vancouver headquarters of the Steamshipmen's Society. The telegram was signed by a delegate on the *Princess May*. He was not a member of the headquarters committee.

Q. How did he have authority to do that ?—A. On every boat we have a delegate, and if any trouble arises he has to fix it up.

Q. By whose authority were you called on strike ?—A. We came out on our own account.

Q. Who ordered you out ?—A. The meeting on the 16th.

Q. But on the Saturday ?—A. We were ordered out.

Q. You had been requested to strike some time before—a long time before the Saturday ?—A. Yes, the time the freight came over on the *Charmer*, three or four days before the Saturday. We had two metings to consider it, and we did not come out.

Mr. ROWE.—What is the provision in the constitution for a strike ?

Mr. BODWELL.—One meeting and another to consider it.

By His Lordship :

Q. You had better let us have the telegram calling the strike ?

(Telegram produced, marked Exhibit 7.)

By Mr. Bodwell :

Q. I think there has to be one meeting first and then another meeting before you can call a strike ?—A. It had been discussed in several meetings before this trouble.

By Mr. Rowe :

Q. What is the first intimation that the men had that there was to be a meeting that night ?—A. When I came off the boat.

By Mr. Bodwell :

Q. But they were down waiting for you ?—A. Yes.

Q. Who would Mr. Bulley have telegraphed to here ?—A. I did not know that he sent a telegram.

By His Lordship :

Q. How many men are there in the division at Victoria ?—A. About 150 men.

Q. You say you only had a vote of 39 to 1 ?—A. It must be two-thirds of those present.

Q. How would the whole 150 men know there was a meeting ?—A. I went around and notified everybody I could.

Q. It would be impossible to notify 150 people ?—A. There were not many. There were about forty members attended that meeting.

Q. Did the action of the 40 bind the 150 or 160 ?—A. Yes.

Q. Not unless the 150 were notified ?—A. The majority of the meeting.

By Mr. Rowe :

Q. But the 160 were not notified in any legal way. Their action would not bind them, surely ?—A. Yes, a member who had not received notice of the meeting would consider himself bound by the majority.

Q. And he would have to be bound by that action ?—A. Yes.

Q. I suppose you made up your mind there would have to be a strike when in Vancouver that Sunday ?—A. After I found out the whole thing about the *Princess May*, I was pretty well satisfied there would be trouble on account of threatening to put the men in jail, and doing what they did on the *Charmer*.

Q. I suppose that threat would apply to any seaman indicating a disposition to desert ?—A. It is in the articles.

By Mr. Bodwell :

Q. It is a breach of contract, and they are liable to be committed ?—A. The only thing they could have done would be to put them in jail for refusing.

Mr. Bodwell.—They could have put them on the boat and made them stay there, under the Shipping Act.

By Mr. Rowe :

Q. Had there been any meeting of the Victoria people before these people went out that Monday night ?—A. Two meetings in Victoria.

Q. Was there a resolution passed in favour of a strike ?—A. I don't remember.

By His Lordship :

Q. If that is the case, Mr. Thomson, you contravened the charter when you went out on the one meeting ?—A. I don't think so. We were allowed to strike. He broke that contract with the company.

By Mr. Rowe :

Q. But that refers to something else. The chief justice says you did not observe the terms of the constitution ?—A. We had three meetings.

Q. You did not have a meeting down here at which a resolution in favour of a strike was passed ?—A. We had meetings. There was a meeting, I think, before the Monday night. The agreement with the company was brought up, and it was carried that we should act.

Q. But was there a resolution passed ordering a strike ?—A. No.

His Lordship.—So there was only one meeting at which a resolution was passed ordering a strike. I would like to see just how far the constitution is observed, or whether these things are only waste paper.

Mr. Bodwell.—As I understand it, from the evidence given before Thomson, when he came here, argued that no more meetings were necessary, because they had already had two. They had neglected their opportunity and he chided them for not taking it. I conclude that they regard that they had two meetings and did not need any more, and that their plain duty was to strike, because the headquarters at Vancouver had decided on it, and he came here for that purpose.

By His Lordship :

Q. You see the difficulty that a man is in when he joins your union. In the first place, you tell us he is bound by the action of the majority, although he never got any notice. In the next place, you override the constitution and say you were justified in going out on strike, although only one meeting was held at which a resolution was passed. Don't you think it is unfair to these 150 men that the action of 40 should bind

them without notice ?—A. No, I don't see how it could be called unfair. A man has to abide by the action of the majority of the meeting.

By Mr. Rowe :

Q. Here are forty men. There are in your society 120 other men who were not present ?—A. They have to abide by the meeting.

By His Lordship :

Q. Although they had no notice ?—A. Yes, I suppose so.

By Mr. Rowe :

Q. And although a good many were absent. What was the idea of having a strike at that particular time ?—A. There was no idea of declaring a strike at that particular time—no particular reason. The handling of the unfair stuff was purely and simply the cause of the strike.

His Lordship.—How do you expect employers are going to have any faith in you as a union if you union people don't observe your own regulations ? That is a point on which you should set yourself right before the public.

By Mr. Rowe :

Q. I understand your position to be that the C. P. R. should not discriminate against the U. B. R. E. ?—A. The U. B. R. E. did not bother us at all. It was this disagreement with the company that made us strike.

Q. If there had been no strike with the U. B. R. E., you would have no agreement ? —A. No.

Q. So that in the last analysis that is the way it happened ?—A. I suppose so.

Q. Your action would increase the power of the union there in its fight. That is what you wanted ?—A. Yes.

By His Lordship :

Q. If you had an agreement with the C.P.N. people, how would you guarantee that they could rely on your good faith if you people yourselves don't regard your constitution ?—A. When we were ordered out by one of the telegrams we didn't take any notice. Our agreement was kept with the management until they broke it.

Q. You give the public the idea that you don't care anything about contracts ? —A. If the public looks at it right they see where the company did not hold to their contract.

Q. What reason has this commission to think that the real feeling of the whole 160 men is in favour of your action, and you tell us that the whole 160 were bound, notwithstanding the fact that they got no notice, although you carried this resolution at only one meeting, and trampled on the constitution ?—A. It is evidently the case. Assuming the strike to be declared, no one ever went back to work.

By Mr. Bodwell :

Q. Were there not a good many of the men who wanted to go back to work ?—A. There was one. I don't know of any others who wanted to go back.

Q. Have there not been many of your men complaining about the strike and saying they would like to be back at work ?—A. They never said anything about it to me.

By His Lordship :

Q. If the union lived rigidly up to the contracts with employers and to their constitutions they would have a much better show in the estimation of the public ?—A. But suppose the C. P. R. forced you as they did us—you cannot do anything else.

SHEFF THOMPSON—Victoria, May 14.

By Mr. Rowe :

Q. You were not bound to strike—other unions were handling the business ?—A. We were the only union handling the stuff.

Q. Is there not a baggageman's union on the trains ?—A. I don't know how it is on the train.

By Mr. Bodwell :

Q. Mr. Estes said his grip would have been scab if he had got any one to bring it down ?—A. The crew of the *Charmer* was handling express and baggage up to the date of the strike.

Q. That wharf was unfair, every ton of freight that stood on it was unfair, and doesn't that lead you to the conclusion that I am right that you picked out two or three pieces of baggage for an excuse ?—A. No, we did not pick it out. There were 15 or 20 tons of freight.

Q. How did you distinguish ?—A. We know where this stuff comes from.

Q. There was other freight on the wharf besides the 15 tons ?—A. Maybe the man that owned the freight took it on.

Q. It would have to be handled by somebody ?—A. By the crew very likely. The crew used to go right to the train and get the baggage and mail. None of the Vancouver people touched that.

Q. What about the local freight taken from Vancouver to Victoria ?—A. It would be taken down to the wharf and put right on the same boat.

Q. Your idea is the same as Mr. Estes ?—A. I know that 40 or 50 tons of freight was on the *Charmer*. I know where the freight came from.

Q. Then, if the crew went up and got the freight it would not be scab ?—A. It would be all right if the crew went up to the cars and took it out.

Q. What would you do with local freight from Vancouver to Victoria ? How would you manage that ?—A. Where it was brought down by somebody who was fair, and none of these scab men touched it, it would be all right.

Q. But all the teamsters were out, so that it would have to be a man's own team ?—A. Yes.

Q. So that means that the C. P. N. would be nearly impossible to carry any freight without its being scab freight ?—A. It would be pretty hard.

By Mr. Rowe :

Q. Do you remember a difficulty with reference to Mr. Alfred Bulley and a demand made by the union concerning him ?—A. He had already belonged to the Steamshipmen's Union.

Q. Was he to come out or you would strike ?—A. He had already belonged to the Steamshipmen's Society in Vancouver before we organized, and he was behind in dues. I notified him, and his brother told him, and he got a little hasty about it. I went to him and he got hot-headed about it. It got so that the crew decided they would not go with him on that boat unless he paid his dues. They decided to walk ashore.

Q. They were violating the constitution in that case ?—A. That was how it was.

By Mr. Bodwell :

Q. He was a good man and the captain wanted to keep him ?—A. Yes, he was a good man. The engineer did not want to lose him.

By Mr. Rowe :

Q. Is your union incorporated ?—A. We are a local union—not incorporated.

Q. The whole organization is not incorporated ?—A. It is incorporated under the Friendly Societies Act—only the Victoria division.

By His Lordship :

Q. In discussing a strike in meetings have you ever heard the interests of the public discussed ?—A. No, sir.

Q. Have you never considered the interests of the travelling public over the C.P.R. when you were considering as to what was scab freight ?—A. Our agreement about scab freight was not to delay the mails, passengers, baggage or anything like that. That was our agreement—that we would keep the boats running.

Q. The term scab only applied to freight—not passengers' baggage ?—A. Passengers' baggage could be handled without any outsiders touching it. It came in on the train and the crew go and get the baggage.

Q. And if it were handled in that way that kind of freight was not objected to ?—A. No.

Q. That is the custom, is it ?—A. Yes, the crew always go up to the train.

Q. If that had not been the custom—supposing the crew did not bring the baggage over from the train to the boat and there was a strike, the crew would not then be able to do that ?—A. No, I should not think they would.

Q. They would be acting as substitutes ?—A. Yes.

Q. Have you worked in other places than British Columbia ?—A. In 'Frisco.

Q. How do the wages compare with here ?—A. Better down there.

Q. For longshoremen ?—A. Yes.

Q. How are the hours ?—A. Shipping coal is 50 cents an hour, carrying grain 55.

By Mr. Rowe :

Q. What is it here ?—A. Here it is 40 cents.

Q. Do you belong to the Longshoremen's Union ?—A. Yes.

Q. Can you work at either occupation ?—A. Yes.

Q. There is nothing to prevent you ?—A. No.

Q. Would you be allowed to work in San Francisco if you went down ?—A. I would have to transfer my book to another local there—from here to there.

Q. Is there an international organization ?—A. Yes.

Q. What per capita do you pay to the international ?—A. Two bits per member every quarter.

By His Lordship :

Q. Who is putting up the funds in this strike ?—A. We are doing it ourselves. I am working at something else.

By Mr. Rowe :

Q. How many men are on strike—the whole 160 ?—A. Quite a number are working in some other occupation.

Q. How many do you think ?—A. About 50 or 60.

Q. What do you make a month—men in your crafts ?—A. Deckhands' wages are $40, and $50 for firemen.

Q. So that the men represent about $45 a month or $50 ?—A. Yes.

By His Lordship :

Q. If you do not succeed in bringing the C.P.R. to time, what are you going to do ?—A. Work at something else. We are not asking every union to go out in sympathetic strike.

By Mr. Rowe :

Q. What amount has been contributed to the support of the strike ?—A. I have no idea. We have been out now about two months on the 16th.

Q. That represents about $4,500 wages lost ?—A. I suppose so.

Q. I suppose there has been nothing like that contributed ?—A. No.

By Mr. Bodwell :

Q. You pay these men. Where do you get the money from ?—A. We are not paying them.

Q. You have been giving them something—you pay for their meals ?—A. Yes.

By His Lordship :

Q. Do you get any assistance from the international body ?—A. No, none that I know of.

By Mr. Bodwell :

Q. The U.B.R.E. are not givng you anything ?—A. I don't know.

Q. You are the secretary ?—A. I am not acting in that capacity. The local unions of this town are helping us.

By Mr. Rowe :

Q. All unions are making contributions. I would like to know if there is any fixed sum ?—A. I don't know as to that.

Q. You speak in the constitution of the use of arbitration. Do you think strikes can be settled by arbitration.—A. Yes.

Q. Where the state insists that the parties should come together ?—A. I don't know as to that.

ALFRED H. BULLEY, sworn.

By Mr. Bodwell :

Q. You are the treasurer of the Seamen's Union ?—A. I am.

Q. Have you been distributing money to the strikers since the strike was on ?—A. Yes, we have.

Q. Where do these funds come from ?—A. They come from the outside unions here. They give us contributions at different times.

Q. Get anything from the U.B.R.E. ?—A. No, sir.

Q. Not since the strike started ?—A. No, sir.

By Mr. Rowe :

Q. Nothing from Vancouver at all ?—A. We have had contributions from the headquarters—our own headquarters of the B.C.S.S. in Vancouver.

Q. Not the headquarters committee of the strikers ?—A. No.

By His Lordship :

Q. Any money from any points in the States ?—A. I think this money that came from the headquarters came from the United States, but I could not say exactly where it came from.

Q. Where are the headquarters of the U.B.R.E. ?—A. I could not tell you.

Q. What proportion of the money you have received comes from the headquarters ?—A. I should say about $200 since the strike. The majority of our members here have been able to get work, and some had a little saved to tide them over.

Q. You at one time were not a member of the union ?—A. Since June 1 last year in the Vancouver union. I had not got my transfer to this union. We are practically one body, but our book there is just the same as over here. If we paid here it is the same as over there.

Q. What was this difficulty about your employment on the *Charmer* ?—A. I ran behind on my dues and was a little stubborn and refused to pay. The dues to the Vancouver society.

Q. There was a little difficulty between you and them ?—A. Yes, a sort of family squabble.

Q. And the men here threatened to walk out unless you were discharged ?—A. If I refused to pay my dues.

Q. They threatened the officers of the ship to walk out unless you were discharged ? —A. Yes.

Q. That was when ?—A. The first of February this year.

By Mr. Bodwell :

Q. The captain had to put you off that night ?—A. The captain laid me off.

Q. What time of the night was it when they made this demand on the captain ? —A. I could not say that. They had been at me all day and several times that evening.

Q. The captain came down to the engine-room to see if it was true ?—A. I cannot say as to that. I was in the firemen's room at the time. I was let out about a quarter after two, before the boat sailed.

Q. Don't you know they came down just before the boat sailed and made this demand, that if you were not put out the boat could not go out ?—A. They were around there all evening.

Q. They didn't go to the captain ?—A. I cannot say about that.

Q. Didn't they come down and tell the captain a little while before the boat sailed that she could not sail, and as a matter of fact he had to put you off ? You know the captain did not want to dismiss you ?—A. I cannot say as to that. All I know is that the engineer came and told me that the captain had orders to let me out.

By His Lordship :

Q. What position were you in ?—A. Fireman.

Q. What time of the night was it ?—A. About a quarter after two in the morning.

Q. Who was the man who was leading this movement against you ?—A. I don't know any particular man was leading the movement against me. I presume it was the union itself against all men not paying up their dues.

Q. Who was the most prominent party in getting you off the boat ?—A. The Vancouver headquarters had instructed Sheff Thompson to see about it.

Q. He had charge of these eviction proceedings ?—A. Yes.

Q. And he was secretary of this local union ?—A. Yes.

Q. How was the quarrel settled up ?—A. I still refused to pay and got off. I finally settled up with them. They held a meeting and they held out that I would have to pay up, and finally I did pay up. It was practically settled by myself. I felt that they were right in demanding that I should pay up.

Q. But you didn't feel that until you were out of work for a good while ?—A. That did not bother me.

Q. How long were you out of work ?—A. I suppose about three weeks.

Q. Was it through your brother's persuasion that you gave in ?—A. No. I thought the thing over myself and thought it was foolish of me.

By Mr. A. B. Bulley :

Q. Was this the first intimation you had of the trouble—that you would be expected to leave the boat ? Nothing ever said before that ?—A. About two months before that, I guess.

Q. And was the matter of the dues the only thing in connection with you and the union ?—A. Certainly.

ALFRED H. BULLEY—Victoria, May 14.

Q. Was it that date, the day of the strike on the boat, was that the first intimation that the *Charmer* got that you would be expected to quit that boat ?—A. About Sunday afternoon.

Q. For twenty-four hours before the official action was taken ?—A. About thirty-six hours.

Q. Was there any conversation between yourself and Sheff Thompson and the second engineer of the *Charmer* before the final action was taken ?—A. No.

Q. None whatever ?—A. No.

Q. And were you aware at the time that the second engineer knew unless you paid your dues you would have to leave the boat ?—A. I don't know as he did.

Q. You don't remember any conversation between you and Sheff Thompson ?—A. Well, yes, that was on the next Monday.

Q. Then you know there was a conversation took place that the engineer, the officer that hired you, knew the fact that if you did not pay the dues, you would be asked to leave the boat ?—A. Now that I remember, that is right.

Mr. A. B. BULLEY.—Mr. Bodwell has brought out that none of the officers knew beforehand about this trouble until the last minute—they were notified 24 hours, at all events. The second engineer hired all the men, and he was aware of the fact that we were going out on Monday night, 36 hours previous.

HIS LORDSHIP.—Better get the second engineer here.

Mr. ROWE.—The point I think the commission is interested in is to know whether the men would take action of that kind.

Mr. BULLEY.—As near as I can make out from Mr. Bodwell's questions, he is trying to bring out the fact that the union would leave the steamship company in the hole any time they felt like it. I say in this case they had 36 hours' notice—the second engineer had—George Brownley is his name.

HIS LORDSHIP.—You might have him here.

By Mr. Bulley :

Q. You were working on the steamer *Danube* at the time of the strike ?—A. Yes.

Q. Could she have left the port of Victoria that night ?—A. Certainly not, because her engine broke down just as they were ready to start.

Q. Was that the fault of incompetence on the part of the crew ?—A. I cannot say as it was. I was not there at the time that it happened. When I went on watch at twelve o'clock the engine was out of working condition anyway.

Q. You are prepared to swear that the strike had nothing to do with the delay to the *Danube* ?—A. Certainly not.

Q. Can you give us the name of the chief engineer of the boat ?—A. Bethune—I don't know his first name.

By Mr. Rowe :

Q. I see from the constitution that any member expelled shall not be reinstated to membership. Is it intended that he shall never be eligible again ?

Mr. BULLEY.—You see in a case of this kind there are always loopholes we can get through. I might say it is not our intention to oppress any man or deprive him of his livelihood, but rather help nim gain it. If the man is in any way a decent man the rules would cover that.

HIS LORDSHIP.—That rule is applicable only to people who offend against criminal law ?

Mr. BULLEY.—Yes.

By His Lordship :

Q. We heard this morning that this was a division of the society—is that a separate lodge by itself ?—A. No, they are all supposed to work as one body.

Q. The entire body is not incorporated as one body—only the local division incorporated by itself ?—A. The B.C.S.S. is an incorporated body.

By Mr. Rowe :

Q. This branch cannot be incorporated. It is the society which is incorporated ?—A. Yes.

Q. And this is a division of that society ?—A. Yes.

Q. It has not the same jurisdiction as the Vancouver part ?—A. Yes.

Q. Vancouver is the headquarters and the officers live there ?—A. We have a president and secretary there, and then we have our chairman and division here.

Q. You are subject to the orders of the Vancouver union ?—A. Yes. That is governed by the votes of all the members of the society.

Q. 160 members—that is the number of members of the Victoria society ?—A. Yes, that is their number now, but that was not the number at the time of the strike. It increased a little after the time of the strike. I should imagine there are about 120 there.

Q. How many are there in Vancouver ?—A. About 120.

Q. So that at the present time this branch is larger than the headquarters ?—A.—Yes.

Q. About 280 men all told ?—A. Yes.

ARTHUR MARION, sworn.

By His Lordship :

Q. You are a member of the Plumbers' Union ?—A. Yes.

Q. I understand there was a statement made by Mr. Wilson about being posted in the Labour Hall, and that you wish to say something about that ?—A. According to the statement made by Mr. Wilson, the Plumbers' Union coerced a man to leave his shop. They called a meeting and took me as the man to come and refute this statement.

Q. He says somebody posted him up in the Labour Hall in letters big enough for the blind to feel ?—A. It is posted up in the Labour Hall—shops that are unfair. I never saw it, but it might have been there.

Q. Shops that are unfair are posted in the Labour Hall ?—A. Yes. He made a statement that the Plumbers' Union coerced one of his employees to leave the shop.

Q. You say that is not so ?—A. Yes. The 'Colonist' has it : "This man came back to him in less than a month and wished to be employed again, as he could get only three days a week work (to the best of the witness' recollection) at the union shop where he had found employment.' That is false altogether—no such thing ever happened. Then he made a statement : 'He could not say whether it was the Journeymen Plumbers' Union that posted his firm, but he thought it was done by Colbert, the secretary of that body.' Colbert was never secretary of the Plumbers' Union.

Q. Did some one post him up ?—A. Well, that might be so. Then he said that his firm paid the same wages as under the union scale. How could the Plumbers' Union call his shop unfair if he paid the union wages ?

Q. That is what is meant by an unfair shop ?—A. Yes. That would be an unfair shop, and he made the statement that he paid $2.50, $3 and $3.50. If he paid the union scale how could the shop be unfair ? That is all we want them to do.

Q. Doesn't it mean more than that a man should pay the scale ?—A. No, and eight hours a day, and that was the scale of wages.

Q. You say no shop would be posted as unfair that paid the union rate of wages? —A. Certainly not. That is if they employed labour that was not union.

Q. Have they got to employ union men ?—A. If he made his shop a union shop he would agree to the rules of the Plumbers' Union.

Q. But we want to get at the unfair shop. You said that was one that did not pay union wages. It appears he has got to have union men as well ?—A. Of course, the shop is supposed to have union men or otherwise it is an unfair shop, but you must understand that we use every kind of friendly means to give the men a chance to join the union before we call it an unfair shop.

Q. What interested us most was the fact that he was posted in the Labour Hall, which is a public place, as a man who ran an unfair shop ?—A. It is not exactly a public place. It is the place where most of the union men meet. It is to let them know which are unfair shops.

Q. Would it not be better to have a white-list—men who employ union men, instead of singling out men who don't, and posting them up as a black-list ?—A. We cannot compel them to employ union men.

Q. But when you do that sort of thing you are engendering a certain amount of ill-will towards these people ?—A. It is one of the union's proper means—it is legitimate.

Q. But the legitimate purpose could be effected by posting up men who do employ union labour ?—A. It would be the same thing.

Q. It might be the same thing, and it seems to me a less invidious way ?—A. Which is the easiest way to get over it ? There are so few shops that are unfair.

Q. I don't know how you look at it, but people are not entitled to take all kinds of liberties with other people's names any more than you have a right to put up a photograph of any man there ?—A. We don't propose to take liberties with any man. All we want is to do what is right, and keep within the law.

Q. There are only some 11 or 12 shops in the city, and it would not take much more space to post up the men who employed union men and leave the others severely alone ?—A. If it were so that that would be the best, of course I can only leave that to the union to judge.

By Mr. Bodwell :

Q. What was the real reason—that he did not pay union wages or pay union men? —A. He does not pay union wages or employ union men.

By Mr. Rowe :

Q. Doesn't he pay that rate quoted there—$2.50, $3 and $3.50 ?—A. He does not pay union wages. That is the union scale, and he doesn't pay that. He may pay some $2.50, but he does not pay $3.50.

By Mr. Bodwell :

Q. How do you know that ?—A. I cannot say how he keeps his books, but I have spoken to his men. I am acquainted with his plumber, and he has told me that he does not get $3.50.

Q. Would he be entitled to $3.50 under the union scale ?—A. Yes, sir.

Q. You don't think Mr. Wilson would make a statement of that kind without its being correct ?—A. He has made three statements here——

Q. You cannot say, except from hearsay ?—A. I can only say from the man who works for him.

Q. He may be paying it now. How long ago did you speak to that man ?—A. That was two or three months ago. He might be paying it now.

Q. Is it an open shop ?—A. Yes.

Q. Always has been ?—A. Yes.

Q. You complained about him, saying the union got one of his men away ?—A. I don't know the man's name. I have never heard of anything.

By Mr. Rowe :

Q. This man is in business for himself in the city. His name was not given ?—A. I don't think there was any such a thing done by the members.

Q. You can only say of your own knowledge it did not occur ?—A. How could he be coerced away from a union shop—if he was in a union shop.

Q. Don't you allow men who are not union men to work in a union shop ?—A. If a man goes into a shop and he is not a union man, he is met by the men in the shop, and they try to get him to join the union. If he does not join the steward goes to the boss, and then the boss will have to fire that man.

Q. This man might not have been a union man when he came to the shop. He could become one after he came to the shop ?—A. I don't think there ever was such a man—that it ever occurred. I would surely know.

Q. How would you find out ?—A. He said this man worked for a year after that, and the union was not in force then.

By Mr. Rowe :

Q. I think the mistake is this. This man is not a plumber but a tinsmith—'Some seven or 8 years ago I had trouble with the union. One hand left and joined the union through the pressure of the Tinsmiths' Union ?—A. Yes, but it goes out to the public in the *Colonist*——

Q. The *Colonist* is responsible for that. Mr. Wilson said he understood it was the Journeymen Plumbers Association that posted him. He was asked the name of the president and he said he did not know. He was asked the name of the secretary, and he said he thought it was Colbert—he did not say it was the secretary who posted him ?—A. Certainly the *Colonist* gives that impression to the public. We have always gone by the *Colonist*

His Lordship.—Even members of Parliament are seriously misquoted.

John Russell, sworn.

By His Lordship :

Q. You are the president of the Bricklayers' Union ?—A. Yes.

Q. Is your union incorporated in British Columbia ?—A. No, sir.

Q. How many men are in it ?—A. Forty.

Q. How long has it been in existence ?—A. Off and on ten years.

Q. Do the members take an oath or sign an obligation ?—A. They take a pledge.

Q. What is the nature of the pledge ? Have you a copy of the constitution here ?—A. Yes, sir.

(Copy of Constitution produced and marked Exhibit J.)

Q. Are you affiliated with any other union?—A. Not now—we were at one time.

Q. What union ?—A. International Union of America.

By Mr. Rowe :

Q. You had a local in that ?—A. Yes, we were a local union, affiliated with the International Union of America.

By His Lordship:

Q. The International Union of Bricklayers ?—A. Yes, and masons.

Q. Where are the headquarters of that ?—A. Well, I cannot say from memory just now where the headquarters of it was. At that time when we were affiliated with them it was so long since. It is fully ten years since.

Q. You started out as a subordinate branch of that institution ?—A. Yes.

Q. And then you separated from that ?—A. We disorganized and reorganized as a local union about a year ago.

Q. Are you now affiliated with any organisation ?—A. No, we have made application for affiliation with the National Trades and Labour Congress of Canada.

Q. You have applied to the National Trades and Labour Congress ?—A. Yes, the Trades and Labour Congress of Canada.

Q. That is a new institution ?—A. I think so.

Q. About how long has that been in existence ?—A. It is not very long since I saw their constitution and by-laws for the first time. I only had a glance at it—I cannot tell you how long. It is in recent years.

Q. The headquarters are in Montreal ?—A. Yes.

Q. Has your union ever had any difficulty with other unions or brotherhoods here on account of separating from this international union ?—A. No.

Q. Had you any dealings with the Trades and Labour Council in Victoria about this question of leaving the international ?—A. No, we acted on our own initiative.

Q. What was your reason for leaving the international ?—A. Probably the union became disorganized on account of depression in trade—men were leaving, and so on. When we took up the matter of the union again, we took it up on the local plan.

Q. How long did it remain disorganized ?—A. Several years.

Q. Any pressure brought to bear on you from any source to join the international union ?—A. No, not officially.

Q. Any pressure of any kind ?—A. No, none.

Q. Have you ever been asked to join the international union ?—A. Not officially. There was some notice appeared in the papers—in the labour column of the *Colonist*—to the effect that the Trades and Labour Council were considering the advisability of its affiliating any union that was not affiliated with any international, but we were not officially notified, but that was one of the reasons why, I think the only reason why, delegates were withdrawn from the Trades and Labour Council.

Q. You don't belong to that body now ?—A. No.

Q. You are about the only union in the city that does not ?—A. The only one that I know of.

Q. Is it the policy of the local Trades and Labour Council to have all local unions here amalgamated or affiliated with some international union ?—A. I think so.

Q. Would you consider that joining a Canadian organization is enough for your purpose ?—A. I think so.

Q. What is the reason given why these people join American or international organizations ?—A. Well, there is a card system, and if you belong to the International Union of America, and you go to any city in America where that organization would be, all you have got to do is to show your card and you are allowed to work by conforming to the rules of the organization there. Otherwise you are not.

Q. That is the chief advantage ?—A. That is the leading advantage.

Q. How is it you people are satisfied to belong to a Canadian organization ?—A. That is one of the circumstances that has influenced our joining our organization, because, if we go to any place in Canada where that organization exists or a local union holds a charter from that organization, we are allowed to work without any trouble.

Q. Why not the international? Your right to get work would be enlarged ?—A. We think that Canada is good enough and large enough for us.

JOHN RUSSELL—Victoria, May 14.

Q. I suppose, joining an international organization means giving up a certain amount of control over yourselves?—A. It didn't in our case. We had the power to say whether we would go on strike. If we did desire to go on strike and wished financial assistance from headquarters, we would require to submit the matter to them, and if they decided against a strike and we decided to go on with it, we would not get any allowance, and if they decided to call a strike, we were assessed for the other men on strike.

By Mr. Bodwell:

Q. If a strike were called in the United States, you would be assessed?—A. Yes, according to this.

Q. You could not be compelled by the headquarters to go out on strike?—A. No.

Q. How would it be if the headquarters advised you to come out on strike, and you would not adopt the advice?—A. They might suspend the charter, if we acted contrary to their advice.

Q. In that case, you would forfeit all the money you had paid in previously?—A. We only paid in a per capita tax to the headquarters, and that carried us on from quarter to quarter.

Q. You didn't pay anything to insurance or benefit fund?—A. No, that was in the per capita tax. Of course, they levied assessments on us for strikes in other districts.

By His Lordship:

Q. Are there any non-union bricklayers in town?—A. None that I know of.

Q. This includes masons as well?—A. Yes.

By Mr. Rowe:

Q. You made provision in your constitution for a board of arbitration?—A. Yes.

Q. Has there ever been occasion to use that?—A. Yes.

Q. Has it worked satisfactorily?—A. All right so far.

By His Lordship:

Q. On how many occasions have you used the machinery?—A. Twice.

Q. And you found them satisfactory?—A. Yes.

Q. You found the employers quite willing to deal with you?—A. We have always found our employers willing to deal with us.

Q. In looking through your constitution, there does not seem to be any provision for a strike?—A. None whatever.

Q. What is the idea of that?—A. We go on the principle of considering matters and discussing them first among ourselves, and then interviewing the employers, and it creates a good feeling. There is no ill-feeling that I know of. We don't find there is any need for it, as far as we are concerned.

Q. I notice here that the committee of the arbitration shall consist of three members on one side and three on the other. If they fail to agree, they shall appoint a seventh man, and if they cannot agree, the matter shall be brought before the union for adjustment. Have you had anything about that?—A. It has always been settled.

Q. What is the idea of bringing it before the union for adjustment? Is it that their act might override the arbitrators?—A. No. If the arbitration committee and those of the employers could not agree, the matter would be brought by the arbitration committee before the whole, and get their opinion on it as to what was best to do.

Q. Then, you believe that strikes are prevented sometimes by having this provision for arbitration?—A. We have always got along without a strike in this town for fourteen years now.

Q. Are the wages paid to your craft here equivalent to those paid in the east—what wages are paid to bricklayers?—A. $4.50 a day of eight hours. When I came here at first, it was ten hours a day and $5.

JOHN RUSSELL—Victoria, May 14.

Q. I suppose there has not been much cutting of wages in your craft?—A. During the depression in trade there was quite a lively and unhealthy competition in that respect. During that time the union was disorganized, though there was a generally recognized scale of wages paid by employers. Still, the men who were working were very few, and quite a number of them took small jobs on their own account.

Q. I see you do not allow a man to take a contract for over $300 ?—A. Yes, now. Not then.

Q. Do you think the union is liable to disorganization in hard times ?—A. It is always a severe test for a union when hard times are prevailing. It has a tendency to disrupt them somewhat. They are not so good as in a rising market. Some men cannot stand adversity so well as others, probably on account of having larger families, and from being improvident themselves during good times.

Q. What do you say about outside agitators ?—A. If an outside agitator came along to me or my union we would consider very carefully what he said, and if it was not reasonable and likely to be nearly correct, we would not have them at all.

Q. There would be no need for outside people coming and talking to you about your relations with your employers ?—A. No need for that in any union.

Q. What remedy would you suggest against the outside agitator coming in ?—A. The remedy I would advocate is to consider everything that comes up, no matter what it is, that affects the members of the union—consider it on fair, reasonable lines, and if a man comes along with a suggestion or a proposition that is not reasonable it would not be good either for the men or the employers to disorganize the course of trade. We would just simply turn him down.

Q. You don't consider you are in need of outside intervention ?—A. No ; we can settle our own affairs. We can judge of our own affairs better than any one, and we do it.

By Mr. Rowe :

Q. Does your union believe in sympathetic strikes ? Supposing the teamsters were on strike here—would you handle bricks they hauled ?—A. The union would decide that. If the conditions under which the teamsters came out, or any other organization, appealed to us strongly as being right we would very likely support them.

Q. That is refuse to handle the bricks ?—A. I don't know that we would go that length, but we would say that they were quite right in going out on strike and might contribute to the strike fund. The other question would require to be decided by the union. There are a number of Chinamen employed in the making of bricks now, and we are against that—not that we have any antipathy to them, but we think that Chinamen don't live as we live and the competition would be very unfair. They can afford to work for less wages than we can, and living of course being very much less, and there are few white men who would care to live as Chinamen do.

Q. Don't you use Chinese helpers ?—A. No, we agreed to have white labour instead of Chinese labour many years ago, and that has been acted upon since.

By Mr. Bodwell :

Q. What do you do with the brick where Chinese labour is handled ?—A. We used them.

Q. You don't refuse to handle bricks in that way ?—A. No.

Q. What means do you use then for impressing your principles upon the employers of labour ?—Nothing more than argument ?—A. Just reason with them. Interview them and get their view on the subject and give them ours, and it creates a feeling of confidence and works nicely. We have never had difficulty with our employers.

Q. And you expect gradually your views will prevail with employers with reference to Chinese help ?—A. Yes. In the making of bricks it is a hard job. There is

a good deal of trotting about and hot work, and white men are not mindful about doing it, and I think that has something to do with it. One of the brickmakers tried white men but they did not seem to care about the job.

By His Lordship :

Q. And if you employed white men exclusively in making brick that would be followed by an increased price and would affect your employment ?—A. The impression is that bricks could be made with white labour so that the same price as they are selling now could be maintained, and yet there would be a profit to the manufacturer of bricks.

By Mr. Rowe :

Q. The suggestion is that bricks are too high then ?—A. Well, bricks bring a good fair price.

By His Lordship :

Q. There is money in brick ?—A. Yes, there is quite a competition, but there is a combine.

Q. You think, then, that there is no occasion for strikes—that conciliation would cover the whole ground ?—A. That clause was struck out of our constitution and by-laws, acting on the principle that we had proved by experience in our case that it was not necessary. I don't think any of the trades have had more to contend with in that line than we have, because in the first instance we had 10 hours a day to work. That was gradually reduced. Some of course advocate 8 hours and the same wages, but the wiser plan was adopted to take 9 a day instead of 8. Now we have 8.

Q. Will a man ordinarily lay as many brick in 9 hours as 10—day in and day out ? A. Yes, I think so. I think he would probably lay more. That seems strange, but it is true. Ten hours is too long—eight is enough for any man to work.

By Mr. Bodwell :

Q. And at the end of the year he would have been able to lay more ?—A. Yes, I think so. It appears to be the case in the experiments tried in Great Britain, on government jobs and other matters.

Q. Do you think it is in the interests of labour generally that the hours of labour should be reduced ?—A. Yes, I think 8 hours is plenty, and if a man cannot do a good fair day's work in that time I think anything more would be unfair. When you consider the amount of mortar a man has to lay and the weight of the bricks he has to lift, sometimes with two hands and always with one, it is quite a job.

By Mr. Rowe :

Q. What amount of bricks can a man lay in a day ?—A. It depends on the class of brick—2,000 brick a day would be a fair day's work.

By His Lordship :

Q. And the average brick weighs 5 and 6 pounds ?—A. Yes, then there is the mortar to set these bricks in.

Q. Do you work the same number of hours a day, or do you arrange for a half-holiday ?—A. We stop at four on Saturdays. Eight hours a day five days and 7 hours on Saturday.

His Lordship.—It seems to me, Mr. Russell, that if the presidents of other labour unions were as honourable as yourself we would hear of very few strikes.

JOHN RUSSELL—Victoria, May 14.

A. T. GOWARD, sworn.

By His Lordship :

Q. You are the manager of the street railway company here?—A. I am, the British Columbia Electric Railway Company, Limited.

Q. How many employees are there ?—A. It varies somewhat—about 100 regular employees.

Q. Are they formed into a union ?—A. They are.

Q. These are the by-laws and constitution ?—A. Yes.

(Constitution and by-laws Victoria Capital Division Street Railway Employees, 109—Exhibit K.)

Q. Has the company any profit sharing arrangement ?—A. They have.

Q. You will explain what it is ?—A. The arrangement has only just been entered into with the men. It is a profit sharing scheme by which, after a dividend at the rate of 4 per cent is paid to the ordinary shareholders, any money available for dividends is divided into three parts, two parts being paid to the ordinary shareholders and the third part is divided in equal portions amongst the employees. A regular employee of the company gets an equivalent of this third division.

By Mr. Rowe :

Q. How long has he to be employed ?—A. One year.

By His Lordship :

Q. Each man gets an equal part ?—A. Yes, no matter what his position is.

Q. Of a third over 4 per cent ?—A. Yes.

Q. Do you find that induces satisfaction with their work?—A. It has only just been tried. No payment has been made yet. The company's year ends on the 30th June, when the first payment will be made. They appear to be very satisfied with it.

Q. Have you entered into a signed agreement?—A. I think, probably, the general manager in Vancouver did, but there is no signed agreement here.

Q. Have you had any strike on the line?—A. No, never had a strike.

Q. To what do you attribute that? The men have come to you with grievances?—A. Oh, yes. We are always willing to meet the men and try and investigate any grievances, but there has never been anything of a serious nature brought up.

Q. In discussing grievances, do you meet a committee of the men?—A. There is a grievance committee appointed by the union, and we meet the grievance committee.

Q. How often has this grievanace committee had a grievance?—A. In the last year I don't think we have had the grievance committee more than about three or four times, and these were of no serious nature.

Q. Is it the experience of the officials of the company that some grievances are turned down before they reach the management?—A. Yes, it is.

By Mr. Rowe:

Q. There is provision made for that in the constitution?—A. Yes.

Q. This union has been in existence since 1899 ?—A. Yes.

Q. Previous to that time, were the relations of the men with the company the same—were they changed through the union being established?—A. No, I think not. It was just about 1899 or 1898 that I was appointed manager.

By His Lordship:

Q. Do you find, as a general rule, that the men are reasonable in discussing these grievances?—A. Extremely reasonable.

Q. As a rule, are they capable men on the grievance committee? Are they middle-aged or young men?—A. Younger men, I think, rather than middle-aged. The officials of the union are principally composed of the younger men.

Q. How many are on the grievance committee?—A. Three.

Q. Have you an agreement for any length of time as to wages?—A. Yes, up to the 30th June, this year.

Q. When was that agreement entered into?—A. 30th June, last year. That is the first yearly agreement.

Q. Do you find that the union keeps its side of the agreement?—A. So far, yes.

Q. How long have you been unionized—A. Since 1899.

Q. How does the experience of the company with the men unionized compare with them not unionized—A. I was only appointed just about the time the union was formed, and I don't know very well how they got on before. I think that our relations are exceedingly amicable.

Q. You found no difficulty in getting along with them as a union?—A. We have not, so far.

By Mr. Rowe :

Q. What does the union include ?—A. All regular employees of the company other than foreman or the management.

By His Lordship :

Q. I suppose if employers and union men were both reasonable there would be very few strikes ?—A. Yes, I think so.

Q. Hardly any strike that could not be settled by conciliatory methods ?—A. If both sides were reasonable.

By Mr. Rowe :

Q. In engaging men—new hands—has the committee of the union any voice in such matters ?—A. No, no voice.

Q. Is it necessary for the men you engage to join the union ?—A. Not compelled to by the management, but they practically all do.

His Lordship :

Q. Are they affiliated with any other body ?—A. Yes, sir.

Q. What body ?—A. Amalgamated Association of Street Railway Employees of America.

Q. Where has that body got its headquarters ?—A. Indianapolis, I think it is.

Q. Have you the constitution of that body ?—A. Yes.

(Constitution of Amalgamated Association of Street Railway of America—Exhibit L.)

Q. Is there any provision under which the headquarters can call out the men here on strike ?—A. No, the head department of the union have no authority to call the men here out on stike.

Q. That is settled by the men themselves ?—A. Not entirely. If the local division wish to go on strike they have to refer to the head office of the American association.

Q. If they wish to participate in the funds ?—A. When they wish to go out on strike. They are not allowed to go out on strike in any event without referring the matter to headquarters.

By Mr. Rowe :

Q. What is the penalty if they do ?—A. Expulsion from the Amalgamated Association, I believe.

A. T. GOWARD—Victoria, May 14.

By His Lordship :

Q. That is in the constitution is it ?—A. I believe so.

Q. There is no provision for assistance ?—A. I don't know whether there is a provision or not.

Q. There is a section here which seems to secure complete autonomy to the men ?—A. Yes.

By Mr. Bodwell :

Q. Do you know the result of the recent street railway strike in Seattle—have you any knowledge of the circumstances ?—A. No.

Q. Don't know what brought it about ?—A. No.

Q. Do you know the local body are bound to refer to the headquarters if they wish to strike—do you know anything about the course pursued at headquarters ?—A. They send out the international president to look into the matter, I believe.

Q. Does he interview the employers or simply go among the men ?—A. We have had no actual experience.

Q. I see the executive board of the local division shall appoint a committee of not less than three to investigate the case and wait upon the employers and try and settle it at a first meeting. I should think that would imply he must see the management and endeavour to settle the dispute. Was there not a strike in Vancouver ?—A. No.

By Mr. Rowe :

Q. Do you think it would facilitate such agreements as you have if unions were incorporated ?—A. I really could not say as to that.

By His Lordship :

Q. When you enter into an agreement with these people, do you enter into it with the union or with individuals ?—A. I think with the union.

Q. On all your roads the same condition exists as here ?—A. Yes.

Q. How many employees are in the company altogether ?—A. There would be 300, or 350.

By Mr. Bodwell :

Q. Perhaps you had better state where your company operates ?—A. In Vancouver, Victoria and New Westminster.

By His Lordship :

Q. How many men altogether ?—A. I should say about 350.

Q. What are the monthly receipts of the road ?—A. About $20,000.

By Mr. Rowe :

Q. I understood you to say there never was any strike on your lines ?—A. Not with the present company. There was a strike in Victoria 8 or 9 years ago under the old management. As to whether we dealt with the union a notice of the general manager says—'In accordance with an agreement made with your committee—' that is the way he puts it.

Q. That is members of the union ?—A. Yes.

Q. In this participation in the profits the matter is entirely administered by the management ?—A. Yes.

Q. Have you not some other organization than this in connection with the union ?—A. We have a sick benefit association which we have just organized about a week ago. That is entirely amongst the employees.

By His Lordship :

Q. What are the chief features of that—so much a month ?—A. Fifty cents a month is taken from each member of the association and put into a fund, and any member who shall by reason of sickness or accident, be prevented from attending to his usual duties shall be entitled to $1 a day up to and not exceeding $100 in any one year under certain provisions. The company donated $200 to form a fund so that the association could be started.

By Mr. Rowe :

Q. Do the company's officers handle the funds and do the collecting ?—A. Only two, one of the clerks in the office and myself. I am president and he is the treasurer and we look after the funds, but as members of the sick benefit association, not as members of the office.

By His Lordship :

Q. You are entitled to share in the fund ?—A. Yes.

By Mr. Rowe :

Q. I understoood you to say the company are not connected with this as a company—they don't make any payments—regular payments ?—A. No, they just gave a donation to start it. The association is the British Columbia Electric Railway Sick Benefit Employees Association, run by the employees themselves—the local Victoria division.

Q. Have you any agreement with the union as to hiring of non-union men ?—A. No agreement.

Q. Recognition of the union does not involve that in this case ?—A. No.

Q. The practical effect is if a man is employed he joins the union ?—A. Yes.

Q. Naturally it is in his interest to do so ?—A. I think it is.

Q. Could he be a member of this association and not belong to the union ?—A. Yes, this association has nothing to do with the union.

Q. Do you know about the wages paid to street railway men in other places in Canada—how it compares ?—A. I think we pay about the best or as good as any.

By His Lordship :

Q. How do they compare with Seattle ?—A. I don't know just what they are paying. I think they made some raise the last few weeks. I imagine Seattle are paying a little more now, but Seattle carry 1,000 passengers to our 10.

Q. What is the amount per hour ?—A. 20 cents the first year, 22 cents the second and third, 23 the fourth and fifth, and 25 cents after the fifth.

By Mr. Rowe :

Q. I think in Toronto it is 14 cents an hour ?—A. I think that is the minimum.

By His Lordship :

Q. Of course rents are a good deal higher in Seattle than here ?—A. Yes, certainly.

R. N. McMICKING, sworn.

By His Lordship:

Q. You are the manager of the Telephone Company ?—A. Yes, sir.

Q. How many men do you employ?—A. The number varies from about 12 to 14 altogether, inside and outside. It varies according to circumstances.

Q. Your company operates only in Victoria?—A. Yes. We connect with a line to Nanaimo.

Q. Are these men unionized?—A. No.

Q. How many women employees have you?—A. Twenty-two.

Q. Ever have any strikes?—A. No.

Q. How do you account for that?—A. Well, I don't know; fair dealing, I presume, and good sense and judgment on both sides. We have always found, so far, the golden rule to be a sufficient guide.

Q. Live and let live?—A. Yes.

Q. Do you enter into wage agreements for certain terms with the employees?—A. Of course, they understand what their agreements are. There is no written engagement, just a monthly hiring—some by the day—outside men, in fact they are engaged by the hour. The inside men are all by the month.

Q. When the employees have a grievance, do they see you by a committee or individually?—A. They have never had one so far.

Q. Never had any complaint?—A. No.

Q. How long have you been manager of this company?—A. Twenty-two years—that is, since the organization in 1880. It is going on twenty-three years.

By Mr. Rowe:

Q. You had some trouble recently?—A. Not here.

Q. Were your linemen not off work?—A. Yes, out of sympathy for men in Vancouver. There is no disagreement here between the management and the men.

By His Lordship:

Q. They went out in sympathy with the men in Vancouver?—A. Yes, our company belongs to the same company, but is operated separately. All the telephones in British Columbia are under the same general management, although they are operated as separate systems.

By Mr. Bodwell:

Q. They have a number of separate charters for different places?—A. Yes, they have been acquired by them.

Q. And operated from a general management?—A. Yes.

Q. Yet each corporation is distinct as a corporation, and has its own particular officers?—A. Yes.

By His Lordship:

Q. What they call a merger—a sort of capitalistic combine. You say these men went out in sympathy with the Vancouver men—was that after the merger took place?—A. Yes.

Q. They regarded themselves, evidently, as employees of the one concern?—A. No, so far as employment is concerned, they have nothing to do with the company beyond the office here.

By Mr. Rowe:

Q. Are they in a union?—A. Some are, I think.

Q. How did the matter end here?—A. It took quite a time to end here. They went out in sympathy with the Vancouver employees, under the impression, I understand, that they had been asked to go out. They were asked for sympathy, and they thought the only way to extend their sympathy was to quit work, although they had no grievance. The men in Vancouver went back to work in about a fortnight, or a little more, and they were out here about five weeks.

Q. Why?—A. When they went out in Vancouver, there was no reference to the men here at all, and I suppose the Vancouver men did not think they had anything to

do with the men down here. For some reason, they were not included in any arranagement that was made with the Vancouver company. They were out about five weeks.

Q. Why did they stay out?—A. There was nothing very much to do, and the company did not feel like taking them back.

Q. They were locked out?—A. No, not locked out. They went out of their own accord, and came back in the company's time. It was in winter, and there was nothing really to do much, and of course the company did not want to furnish labour unless they have it to furnish, although, had they not gone out, they could have worked on.

Q. So your work of installation was not hindered any?—A. Not particularly. We had some men on all the time, but not all. We had two outside men on.

By His Lordship:

Q. It was the union men who walked out—not the non-union men?—A. Yes.

Q. Did they notify you before they walked out?—A. Yes, we got notice about noon, I think. They went out at two o'clock.

Q. They went out at two?—A. Yes. They were just finishing a job, and that was really about the last work that was on. They finished that up, and then quit.

Q. How many of them were there?—A. Five.

RICHARD HALL, sworn.

By His Lordship:

Q. You are a coal merchant here, Mr. Hall?—A. Yes.

Q. That is, you have the handling of what is called Dunsmuir's coal?—A. Yes.

Q. The sole handling of the output of those companies of which he is manager?—A. Yes, we are agents for Dunsmuir coal. I should not say agents, because we buy the coal.

By Mr. Bodwell:

Q. The company only sells to you?—A. Yes.

By Mr. Rowe:

Q. You are the sole dealers?—A. We are the only ones who sell Dunsmuir's coal in the city here.

By His Lordship:

Q. Up to what time have you been able to get all the coal you required this year?—A. Until shortly after the strike occurred at Extension mines.

Q. What date?—A. Up to about the first of April. There was a small quantity came down after the strike was started.

Q. After that date what happened to your business?—A. We have been short.

Q. Short since?—A. Yes.

Q. Can you give us an idea of the average amount you handled before April 1?—A. Five months in the year we handled 700 to 800 tons a month for the winter months. In the last of the season it drops off very materially.

Q. Since April 1 what have you got from the company?—A. It is a very small quantity since April 1, not perhaps over 100 to 150 tons.

By Mr. Bodwell:

Q. Altogether?—A. Since April. That is household coal. We had a little coal from Comox to supply the Driard House and others who can use that coal. It is not a good coal for consumption—it requires a considerable draft.

By His Lordship :

Q. Household coal is the Extension coal ?—A. Yes.

By Mr. Rowe :

Q. Not more than 150 tons ?—A. No, not more than that since April 1.

By His Lordship :

Q. What do you estimate to be the loss to your business by the strike ?—A. I don't know as we have lost anything much by it. We had to get one car from Seattle.

Q. How much ?—A. Ninety tons. I think that car will yield us an Irish dividend from the looks of it. It is poor stuff. It is not properly screened—the run of the mine.

Q. Did you have to pay as much or more than the Dunsmuir coal ?—A. About the same.

Q. It is a poor quality ?—A. It is not screened. They screen it at the mines on the island.

Q. Neither you or the consumer gets as much for his money ?—A. The consumer gets as much—we have to screen it. We sell it for the same price as the Dunsmuir coal.

By Mr. Rowe :

Q. Has the price of coal increased since the strike ?—A. Yes, fifty cents a ton. We increased it 50 cents.

By His Lordship :

Q. Do you make as much profit on the increase ?—A. We make a less percentage of profit, because we pay bigger prices and only make the same market. The capital invested is larger, with no greater margin of profit.

By Mr. Rowe :

Q. You just hand over the increase to the consumers really ?—A. That is the idea.

By His Lordship :

Q. They have to burn the coal, and you have not ?—A. Yes, we burn some ourselves.

Q. What is the price of coal now ?—A. $6.50.

Q. If this strike continues, where do you propose to get your supply of coal—from Seattle ?—A. Yes, we will have to go to Seattle for it—either there or Comox. We will have to investigate and see if we cannot do better than we have done.

Q. Are the Fernie mines too remote ?—A. Yes, too expensive.

Q. I saw by the paper the other day that coal was coming from Japan ?—A. Yes, to be used on two big freighters on the C.P.R.

Q. Is coal likely to come from there if the strike continues ?—A. I don't think so—not for house purposes. We can get it better from the other side.

Q. The coal mines of Washington would have the chief hold on the situation ?—A. If the strikes continue here they will have the supplying of all the coal on the coast, including British Columbia—that is the cities of Vancouver and Victoria.

Q. Washington coal will have the call ?—A. Yes. The Nanaimo mine has been running right along and they have been sending their coal here as before. They have raised the price. Their agent here is selling coal at $6.50.

By Mr. Rowe :

Doesn't want to be put on the unfair list !

By Mr. Bodwell :

Q Do you handle some coal from the Wellington collieries ?—A. That is the Comox coal ?

Q. Yes, Comox coal ?—A. Yes, we handle steam coal from some of the industries in the town. Perhaps I might say our sale is confined to the Driard House, the Gas Works, the Chemical Works and other industries of that kind. They buy the coal generally direct from the collieries.

Q. Could you tell us the quantity of steam coal coming in per month when things are going properly ?—A. No, I could not say.

Q. Could you give us an idea of that ? Most of it comes from Union ?—A. Yes, and Nanaimo steam coal as well.

Q. The Union coal is stopped on account of the strike at Cumberland ?—A. The last advice I had was they were turning out 400 or 500 tons a day.

By His Lordship :

Q. Can you tell us the effect on business generally ?—A. Coming on after the cool weather it has not had much effect. The people have not felt the effect as they would have in the fall when the winter season is coming on. Of course the strike at Extension has increased the importation from Seattle, and has taken the place more or less of the local coal.

Q. What about the merchants who have business in Ladysmith ?—A. It is going to seriously affect them. The difference in the expenditure—of the money paid miners, $70,000 or $75,000, is going to make a difference and is making itself felt among the merchants at Ladysmith and Victoria.

By Mr. Rowe :

Q. There is a good deal of jobbing trade done ?—A. Yes.

Q. What would have been the situation if this situation had taken place in the fall ? Would it have been really a matter of difficulty to furnish coal to the consumers here ?—A. I think it would have raised the price of coal to more than what it is, because the Settle mines and Comox would have been taxed to their utmost in supplying the local markets as well as California. The California market is a market they all seek. That is where they make their money. These towns of Seattle, Victoria and Vancouver, so far as household consumption goes, are not big consumers, only in the way of coal for cooking. We have short winters here, and in the summer time no coal is used to speak of. In fact our yard runs behind in the summer time. There is not much profit for the 4 or 5 months of summer.

By His Lordship :

Q. How is it the California market calls for so much coal ?—A. There is a great deal of coal used in the industries throughout the state, and there is a large population. They have no coal down there. San Francisco has a population of 300,000 alone, and is a big consumer. Then there is a fair quantity of wood used in Victoria.

By Mr. Rowe :

Q. You think the probability is that if the strike occurred in the fall the price of coal would have been higher than $6.50 a ton—probably $7 ?—A. I think it would likely have been.

By His Lordship :

Q. Have you any suggestions to make as to how a strike should be settled ?—A. That is getting into the political arena now, is it not ?

Q. It could not very well be settled by politicians ?—A. Well I think it will be settled either through the Dominion House—the Dominion House is the one I think

should take hold of it and deal with the matter fairly and impartially both as regards capital and labour. Of course I am a believer in the Bill which has been brought in by McInnes, in the first instance, conciliatory arbitration. I think that should be followed by a compulsory arbitration Bill. I think capital and labour should be put on the same level, and treated both fairly and equitably by the people who have the administration of the affairs of the country. If labour has right on its side it should be redressed, and capital is entitled to the same protection. I don't know that I am a believer in small pay. I don't object to paying first-class wages. In fact, I am in favour of that for a good day's labour. I lived in this country before we had 5-cent pieces, and I am not used to it yet.

By Mr. Rowe :

Q. Two bits is your limit ?—A. Sometimes make the limit a little higher.

JOSHUA KINGHAM, sworn.

By His Lordship :

Q. You are in the coal business ?—A. Yes.

Q. You buy your coal from Nannaimo ?—A. Yes. I represent the Western Fuel Company, successors to the New Vancouver Coal Company.

Q. This strike does not affect your business ?—A. Not so far ; it has rather increased it.

Q. It has helped you ?—A. A little, yes.

By Mr. Rowe :

Q. Has it increased both output and price ?—A. Well, I don't know. The price was increased by the management of the company. We in Victoria were selling our coal 50 cents less than other agents and cities in the province, and they decided to put us on the same level as the other cities. In Vancouver and New Westminster coal has been $6.50 right along. All the dealers there were paying more than we were. I don't think the strike has anything to do with it—simply with the management of the company. Whether there will be any reduction when the strike is over I could not say.

By His Lordship :

Q. Who gets that extra profit ?—A. The company charge us the same as is charged to the dealers in the other cities.

Q. The company, then, get the advantage of the rise in price ?—A. They were practically making a concession to the consumers of Victoria—that was what it amounted to.

By Mr. Rowe :

Q. As they are charging less for coal sold here ?—A. Yes, than they were charging in Vancouver and New Westminster—the dealers less. Of course, if the company raise their prices we are limited to a certain margin and must increase accordingly.

By His Lordship :

Q. Have you been supplying Mr. Hall with coal during this strike ?—A. I helped him out a little—not much.

By Mr. Rowe :

Q. Do you know what amount of coal was being consumed for manufacturing purposes ?—A. In this city ?

Q. Yes ?—A. Not a great deal. The Chemical Works are the largest consumers from our company's mines, and they would consume probably 2,000 tons a year.

By His Lordship :

Q. I suppose one effect of the strike would be to stimulate the output at Nanaimo ? —A. I don't know. I understand they are not putting out as much as formerly, but how much less I don't know. I think that it has not stimulated it very much.

Q. Have you been getting as much ?—A. I think slightly more than usual. I could not get sufficient to supply the demand that I have for outside parties. Take for instance the Gas Works or other industries in the city. They applied to us for coal, and we were not able to supply them, but we have been able to supply every demand for domestic purposes.

By Mr. Rowe :

Q. Would you be able to supply the demand for domestic purposes existing in the winter time ?—A. No, I don't think we could. Of course I suppose it would depend upon the demand of the California market.

Q. It is more profitable for the company to sell there than here ?—A. I could not say ; I don't know the California prices.

Q. I wanted to know why that market should have the preference ?—A. It is the largest consumer, and would give big contracts.

By His Lordship :

Q. Here it is a lot of small sales ?—A. Yes.

JAMES D. MCNIVEN, sworn.

By His Lordship:

Q. You are a member of some union here ?—A. Of the Typographical union.

Q. Do you hold any office in that union ?—A. No office.

Q. That is an international union ?—A. Yes, sir. I am vice-president for British Columbia for the Dominion Trades and Labour Congress.

Q. Have you ever had anything to do with strikes ?—A. Very little.

Q. Strikes are not frequent in the newspaper business ?—A. In the offices I have worked in we have had very little trouble.

Q. When you have a grievance, do you have a grievance committee ?—A. No, sir. Each union office has a committee. I have always been in union offices. They don't call it a grievance committee. Each office has a chapel, and they appoint one member of the office as chairman of the chapel. If any difficulty arises, the chapel is called together and the matter discussed. If they find it is going to cause trouble, the chapel refers the matter to the union. The chapel is a small body, composed of members of the Typographical Union employed in that particular office—the same thing as a shop committee.

Q. When the chapel considers a grievance should be looked into, it refers to the union and takes its opinion ?—A. Yes.

Q. What is done with regard to the employer—who interviews him ?—A. The union appoint a committee to interview the employer.

Q. So grievances are sifted through two bodies?—A. Yes.

Q. The chapel composes all the union men employed in one office?—A. Yes.

Q. The union embraces all the men in all offices in that district?—A. Yes, it may be a city or particular area of country. In some cities there are two unions; in Montreal there is an English union and a French union.

By Mr. Rowe:

Q. The chairman of the chapel is really the representative of the union in that office?—A. Yes.

By His Lordship:

Q. At all events, any grievances go to him first?—A. Yes, and he is supposed to see that the laws of the union are observed in the office. It is his duty to report any violation of union law to the union—violations either by the union men or employers.

By Mr. Rowe:

Q. I suppose he could deal with the employer in minor grievances, himself?—A. In a small matter it is sometimes done.

Q. Is the foreman included in the union?—A. Yes, he is subject to the same regulations as the men working under him.

By His Lordship:

Q. The printing business has got to be now that there are practically no non-union printers?—A. None in the city, and very few along the coast.

Q. So that business or trade is pretty well unionized?—A. Yes, very well.

Q. Suppose an employer employs non-union members, what happens? Can he do that?—A. It is not usually the custom to do that where union men are available. If an employer employs a non-union man, and there are union men available, the union men in the office would probably quit work. Of course, before doing so they would require to lay the matter before the union. They have not power to quit work on their own initiative; they must get the consent of the union.

Q. Any reference required to the international body?—A. Yes, if a grievance occurs, the matter must be referred to the international union. If that is not done, —of course, the international has a strike fund, and when the sanction of the executive is given, the union participate in the strike fund. If not, they have the privilege of striking, but they receive no strike funds from the international.

Q. Is there any penalty attached, except withholding the funds?—A. That is all.

Q. Does the international body undertake to compel local unions to keep their contracts?—A. Well, no; the usual trade agreements drawn by the typographical union are subject to strikes. That is, a certain notice is required to be given. The agreement is drawn up, and it is provided that to change the agreement they require to give thirty days' notice.

Q. And the employers are expected to give them thirty days?—A. Yes.

Q. Is an oath administered to the men on joining the union?—A. I would hardly call it an oath—a promise, an obligation.

Q. More in the nature of a pledge?—A. Yes, that he will stand by the rules of the union.

By Mr. Rowe:

Q. With reference to that thirty days' notice: Supposing the union does not comply with that condition, will there be any penalty imposed by the international body?—A. I never saw a case tried; I don't know how it would work. There is no law that I know of inflicting a penalty for such an offence.

Q. I noticed a letter from a prominent employer in the printing trades, in which it was said that the international body enforced a contract by the local union. Is there any provision in the constitution for that?—A. Not that I know of. It is possible.

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Q. It would be a very great sense of security in making a contract with the local union, if it were known by an employer that the constitution would have to be observed in reference to that contract in order to escape a penalty?—A. I don't know of anything in the constitution.

By His Lordship:

Q. As a rule, the unions stand by their agreements?—A. As a rule, yes.

Q. What power has the headquarters to order a strike?—A. In some cases, I believe, the executive or international has power to order a strike.

Q. Have you the constitution?—A. I think I have a copy of the constitution. This is a copy of the International Constitution—the last one.

(Constitution of International Typographical Union put in, marked Exhibit M.)

In reference to strikes I might read a clause:

'When disputes arise between subordinate unions, or subordinate unions and employers, which cannot be adjusted after conference between the parties at issue, the matter may be settled by arbitration.

'No local union shall sign a contract guaranteeing its members to work for any proprietor, firm or corporation, unless such contract is in accordance with International law and approved by the International President.

'It is imperatively ordered that the executive officers of the International Typographical Union shall not submit any of its laws to arbitration.'

Suppose, for instance, that the laws of the local union or the International Union are being violated, and the local union did not observe the conditions. Suppose it is brought to their notice, and they vote on the matter and decide not to strike, and the executive of the International decide that there should be a strike, they have the power to order it over the vote of the local union. They can order the local union out.

Q. Not without thirty days' notice?—A. If there is a contract thirty days' notice would be required.

By Mr. Bothwell:

Q. Section 123, page 73—'The aggrieved union may make an appeal to the executive council, and if, after being furnished with statements from all parties concerned, all of the members of that body believe the inauguration of a strike absolutely necessary, the president shall, in person, or by proxy, again attempt to effect a settlement with employers, and if unsuccessful, shall, through the officers of the various unions, order a general strike of all members of the International Typographical Union employed by the firm or firms interested, and those disregarding this order shall be forthwith expelled'?—A. Yes, that is the clause.

Q. They get expelled from the union?—A. Yes.

By His Lordship:

Q. Does not that rob the Canadian workmen to a certain degree?—A. It certainly does. But of course if a member of a union joins a union and promises to obey the law there must be some penalty inflicted if he fails to pay up.

Q. There are other unions brought before us in which the unions have no special power, where the executive has control. What do you say as to this?—A. I don't like to give too much power to the executive.

By Mr. Rowe:

Q. Do I understand that the executive would have power to call out the printers of say one city in which there was any agreement in order to help the printers in another city?—A. No, I would not consider they had power to do that.

Q. Where one union complains of the action of another union, and the matter is brought before the executive by the complaining union. That is to say, one union complains that the other union is allowing the law to be broken in some respect. In that case the executive can enforce its authority over the other union ?—A. They can if it is a violation of law.

Q. But it cannot call out a union in sympathetic strike?—A. No, I don't think it has such power.

By Mr. Bodwell :

Q. I think so under this clause. Suppose that a union in Victoria should decide to strike in sympathy with a union in Vancouver, the course of business would be that the union would refer that matter to the executive ?—A. Yes.

Q. The executive would send their officer here, either in person or by proxy to investigate. Suppose he approved of that strike and recommended under section 123, the executive would call you out ?—A. Yes, if he approved of it.

Q. So a sympathetic strike would not be different from any other strike; all that would be required would be the consensus of opinion of a majority of the executive, and you could be ordered on strike under section 123 ?—A. Yes, that is correct.

By His Lordship :

Q. Is there any special advantage to Canadians to belong to international organizations ? How would it be if the whole Canadian printers were organized into an organization of their own ?—A. They are not strong enough yet numerically.

Q. One disadvantage would be if you wanted to go to the States you would have difficulty in getting a job ?—A. Suppose we had a national union. I think an exchange of cards could be arranged. But of course belonging to the International Union at the present time, they maintain a large fund for the purpose of assisting unions in struggles. Then there is a benefit in connection with the home for invalid printers and a burial fund.

Q. There are these kind of funds ?—A. Yes. There is a benefit fund and a home for invalid printers.

Q. In a good many of these organizations that we have had before us apparently the local union has the sole power to initiate a strike ?—A. Usually the case.

Q. In many cases without the consent of the headquarters. Would that not be a sufficient power in a case of this sort ?—A. I think so, and I have never yet known an international to interfere with the action of a local union—have never known them override the union.

By Mr. Rowe :

Q. I suppose if the interests of the local union are properly protected, that is all the international wants?—A. That is all. I think the object in putting that law is that the laws shall be observed. That is, if the local union should fail to maintain the laws, the executive of the international would have the power to step in and enforce it.

By Mr. Bodwell :

Q. Suppose that a policy should be established among the international union of combining labour forces for the purpose of affecting unionism in the United States, and the executive approved of that, they could order you all out ?—A. I believe, according to the reading of that section, they have the power.

Q. The abstract power or authority is there ?—A. I should think so.

By Mr. Rowe :

Q. Who approves amendments ?—A. They are approved at the annual convention. The laws are made at the annual convention, but before they become law they have to be supported by the referendum of the members.

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Q. Do you send representatives to the international?—A. We had a representative once—about ten years ago.

Q. Are they usually representatives from Canadian unions?—A. Not very many. Each union has to pay the expenses of its own delegate. There is no provision out of the general fund.

Q. The convention is held at different points?—A. Yes, it has been held in Toronto and Montreal. I think we have had two sessions in Canada. The last I think was in 1881 or 1882.

By His Lordship:

Q. They have a meeting every year?—A. Yes. I think the one in Toronto was the last one. It was held once in Montreal.

Q. We are to take it then that the headquarters have power to order out on sympathetic strikes?—A. They have the power, but it has never been used to my knowledge. That particular section has never been used that way. I may say in connection with the international that a Canadian has been president of the International Typographical Union on two different occasions.

By Mr. Bodwell:

Q. Who was that?—A. Both these gentlemen were from Toronto, John Armstrong and W. B. Prescott. Prescott held the office, I think, for seven consecutive years.

By His Lordship:

Q. They are elected every year?—A. Every two years.

Q. Can you tell us how many Canadians are in this union—what is the membership?—A. No, I could not say.

By Mr. Bodwell:

Q. Where could we get that information?—A. There is a journal published, but that information is not in it. It could be obtained from the secretary of the International Union at Indianapolis.

By Mr. Rowe:

Q. What is the basis of representation of the unions?—A. To the convention the basis is one delegate—every union is entitled to one delegate, a second on 100 members, a third on 200, and so on. I think that is the basis of representation. I am not quite sure.

By His Lordship:

Q. How many delegates could go from this city?—A. One.

By Mr. Rowe:

Q. You said you were vice-president of the Dominion Congress—is that the Dominion Trades and Labour Congress?—A. Yes.

Q. There is another national federation—what is it called?—A. The National Trades Congress.

Q. That is a new body?—A. Yes, it is the body which broke away from the Dominion Trades and Labour Congress at the last session.

By His Lordship:

Q. What was the cause of that rupture?—A. The occasion was that the unions represented by certain delegates were not affiliated with the international unions. There was a law passed at the last session of the Dominion Trades Congress that unless these unions affiliated with the international they should not be entitled to representation—that is, no union having an international head and not affiliated with it, could be represented at the Dominion Trades Congress.

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Q. If that is the case, what is the object of the Trades Congress ?—A. The object of making such a law was to consolidate them. Those who refused to affiliate could not join.

By Mr. Rowe :

Q. The National Trades Congress is organized by those who don't wish the local union to be forced into international affiliation ?—A. Yes, that is so.

By His Lordship :

Q. What fraction broke off from the other body ?—A. I think the fraction was small—probably one-third or less. Of course I cannot give definite information concerning it.

By Mr. Rowe :

Q. Could you express an opinion as to the relative position of the two bodies ?—A. My opinion would be that the Dominion Trades Congress would be three-fourths just at the present time.

Q. I had reference to their policy ?—A. Well, I don't know the policy of the National Congress.

Q. In respect to the international union. What is your opinion as to the merits of the one organization as against the other ?—A. I am in favour of nationalism if it were advisable at the present time. I think it is a little premature.

Q. You would be in favour of Canadians having their own organization, provided they were sufficiently strong ?—A. Yes.

Q. And then they could have an interchange of cards ?—A. Yes. I think also that if the amount of money that is sent out now to international unions were kept in Canada and devoted to the betterment of the labour people here a much better result would follow.

By His Lordship :

Q. They would have entire control over their own funds ?—A. They would, and I think better results would be accomplished.

By Mr. Rowe :

Q. That is on assumption, of course, that they would be strong enough to protect the different members ?—A. Exactly.

Q. The advantage of an international affiliation is the strength ?—A. Yes.

By His Lordship :

Q. And to keep out scabs ?—A. Yes.

Q. I suppose the scab question could be settled by an understanding—an interchange of cards ?—A. I think it would work the same way as in the present system. I would like to see national trade unions affiliated with the others in that way—to stand on the same level. The Canadian card would be recognized in the United States and we would recognize theirs.

By Mr. Bodwell :

Q. Would there be any trouble with the American unions in making that arrangement ?—A. I am led to believe that they recognize British Columbia cards in that way.

By Mr. Rowe :

Q. Do you know if there are any unions in Canada with headquarters in England ?—A. I think the Amalgamated Society of Carpenters has headquarters in England. That is the only one I know of.

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By His Lordship :

Q. If a law were passed by the Parliament of Canada as to incorporation of unions, that would have a tendency to encourage the existence of national unions, would it not ?—A. I think it would. If unions were compelled to incorporate, no doubt a certain power of the international would be gone.

Q. But Canadians would be as well governed?—A. Well, they would, I suppose, as far as the law goes.

Q. A model constitution might be drawn up which would suit all of them ?—A. It is hard to draw a constitution to take in the different trades. A general principle could be drawn up. I think it is quite possible that a congress could be formed of the different trades and workmen in Canada.

By Mr. Rowe :

Q. Are there any national organizations that you know of in Canada ? That is, any trades in national work?—A. There is a letter carriers' and postal employees' union. That is about the only one I know of. It is called, I think, the Federated Association of Letter Carriers.

By His Lordship :

Q. What would you say as to the merits of incorporated unions ? What do you think the difficulty would be ?—A. Well, it is rather difficult to say just what the advantages might be.

Q. It occurs to me that employers would feel more confidence in dealing with such bodies ?—A. They certainly would. I think if unions were compelled to incorporate it would be a death-blow to the boycott, and that is what I think the employers most fear.

By Mr. Rowe :

Q. That would be taking the union's chief weapon away ?—A. That is their chief weapon.

By His Lordship :

Q. Supposing the union were incorporated and allowed to use a registered union label, that would do away with the necessity of a boycott to a large extent ?—A. No, I don't think so. The registration of the union label would merely protect the union holding it. It gives them legal power to protect their label.

Q. People who had sympathy for the union would naturally patronize union goods, and would be able to tell the goods by the label, and in that way it would be a reasonable substitute for the boycott ?—A. There is no reason why. But there would certainly be on no open boycott if unions were incorporated. I think to advocate the union label would be perfectly legitimate.

Q. People could tell for themselves whether they would buy union goods, and would know which were union goods or not ?—A. Yes.

Q. There is nothing to prevent a man using, for instance, the printer's label, even if he does not comply with the union rules?—A. Yes, I know of no law to punish for that.

By Mr. Bodwell :

Q. The men would strike, if they did ?—A. I guess they would. I saw an account of that in a paper, of the improper use of the union label. It was used by certain parties to give the impression that they had had their printing done in a union office.

Q. If the union were incorporated, it would make the men careful in the selection of the officers ?—A. Yes, I think that would be a good thing all round. Harm is sometimes done by the injudicious selection of officers. Of course, it doesn't follow that it occurs very frequently, but I have noticed it.

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By His Lordship :

Q. What would you say as to outside agitators being allowed to come in ? Do you think there should be a law against those kind of people?—A. That is difficult to say. I have no use for the agitator. I think the agitator should be suppressed, but I think it should be left with the different unions to suppress him. I think it would be a good idea to make a union responsible for their acts, and if they allow the agitator to come in and influence them to do these illegal acts, I think they should be held responsible. I think, if such a law were enforced, they would be more careful.

By Mr. Rowe :

Q. It would be difficult to define that term, agitator ?—A. Yes.

By Mr. Bodwell :

Q. The best way would be to judge the union by the results, and they could tell who the agitator was then—if he persuaded them into rendering themselves liable for damages ?

Mr. Rowe.—There might be some things they did not know of.

By His Lordship :

Q. As a rule, they know what they are. The workingman is doing a lot of thinking.—A. I hardly think he is doing enough thinking.

By Mr. Rowe :

Q. He has started other people thinking now.—A. He may be thinking along a wrong line, but I think, if he were given a legal responsibility, that it would compel union men to think out these problems a little better, and to be careful who they put in office, and also careful who they put in Parliament. I think, instead of studying the boycott and the strike in our union meetings, we should be studying who would be the best representative in Parliament, and I think by that means, if a union's local status was defined, and they knew how far they could go, they would adopt other and better means to accomplish the ends. I think it would be done in the legislative halls more. If unions would devote the energy that they now devote to strikes to more legitimate means, it would accomplish a much better result.

Q. Why don't they do it now ?—A. I don't know. They have the weapon. They are making it very interesting now for certain people.

His Lordship.—Many Irish would prefer to use the club to the ballot, I think. That is human nature.

By Mr. Bodwell :

Q. Does it strike you that the workingmen start off on the wrong hypothesis, that everyone is allied against them? Don't you think so, as a body?—A. No, I don't think so. I don't think that the average intelligent union man has such an opinion.

Q. I don't say the leading men. Don't you think that a body of men gathering into trade unions begin with the assumption that they are the injured party, that the rest of the community is against them, and that they must be aggressive and fight in order to be recognized?—A. The fact of them organizing into a union is evidence of that—that they are getting the worst of it.

Q. I would not think so, because combination might be useful, even if they were being treated very well. It is the trouble, is it not, that the labour man comes with biased mind to the consideration of all these questions?—A. No, I think he is considering the question, and he finds he is getting the worst of it. Then they enter into a combination to see if that action will accomplish something better.

Q. Yes, but he assumes that he is being oppressed. Do you think that is really true of the labour class in British Columbia?—A. I think the labouring class in Bri-

tish Columbia are fairly well treated, but they don't get any more than they are entitled to. I would not call them an oppressed class.

Q. Does not labour agitation start with the assumption that the labouring men are an oppressed class?—A. No, I would not start with that assumption.

Q. Don't you think that idea permeates the body? I am not speaking of the best men or the worst men—I am speaking of the average man. Don't you think the attitude of trade unions, the literature circulated, the tirades against capital, all go to lead a man to start with the idea that the labouring class is an oppressed class?—A. I would not take it in that way. I don't think that such a state of affairs exists. You often hear individual members expressing such opinions as that.

Q. Is that not the view of the agitator, as a rule?—A. Yes, now you have given it.

Q. Doesn't the agitator control the mass?—A. No, I don't think so.

Q. How do you account for strikes like the Wellington strike, if the agitator does not control the men?—A. I would not like to discuss that—I know nothing about that.

Q. We cannot come to any other hypothesis but that men are starting from the presumption that they have a grievance, and therefore strike without properly considering the conditions around them—A. I would not say so.

By Mr. Rowe:

Q. Would you say whether the working-people would be oppressed, if they had no unions?—A. Yes.

By His Lordship :

Q. The real situation is that the labour man thinks he is in a bad position without a union ?—A. That is it.

By Mr. Bodwell :

Q. And about the first thing he does with a union is to strike ?—A. Well, it leads up to that. Men don't organize unions for pleasure; it is for the bettering of conditions, and if they have to resort to strikes they are prepared to do it. I think unionism has a good effect upon men ; it improves a man in morals and intelligence.

By His Lordship :

Q. What effect has it on the drink question ?—A. Unionism teaches sobriety ; they encourage it in every way they can.

Q. Are union officers generally temperate men ?—A. As a rule I think they are.

By Mr. Rowe :

Q. Do you know of any instances where men who have not been union men formed a union, and were improved by that in every way ? I heard, for instance, of a class of workmen in the city who were careless about their habits and dissolute, and after a union was formed and a hall provided, and after they met there and transacted business, their habits and methods were very greatly improved. Do you know of any instances of that kind ?—A. I cannot mention any instance, but I think such a result would follow.

By Mr. Bodwell :

Q. What would you say with reference to a statement like this (quoting from 'The Annals of the American Academy of Political and Social Science,' January, 1903, page 47) :—

'The condition that does exist, and the cause of the struggle to-day is this : The wage workers have formed combinations called unions, representing each separate class of labour, and by persuasion or force gathered into such combinations all those who are identified with the employment represented, except only such as elect to be

free men and refuse to join the union. While the written laws of most unions provide for certain standards of skill in the craft, as a basis of admission, the facts are, that the only requirement is the payment of fixed dues, the obedience to all rules which may be made, and the total extinction of individual right ; even to the extent that there is no means provided by which a member can withdraw when he ceases to be in harmony with the plan and purpose. The union having been formed, its first and apparently only work seems to be to make *demands* upon the employer. . . .

'It is this spirit of defiance ; this spirit of determination on the part of the employee what should be his without reference to the conditions of business, that leads to the antagonism of the manufacturer at the start. Until the labour unions will refute this idea, and give as a reason for their being the harmonizing of interests between employer and employee, there can be little hope for settlement in the near future of the many differences that exist.'

I am speaking of the general body of unions, the general spirit that actuates them, and the apparent reason for their existence, and it seems to me that is a very correct estimate of the situation ?—A. In my opinion it is a very exaggerated statement.

Q. You are speaking from your experience as a member of the Typographical Union ?—A. Yes.

Q. I am asking you to lay aside your experience with your organization, and look at it from an independent standpoint ?—A. In regard to the rights of individuals it often occurs in these trades that the rights of certain individuals are trampled upon. In a general strike such as is inaugurated very often somebody has got to suffer.

Q. Don't you think that the literature circulated among trade unions and the work done by the professional agitator is the reason they are being led along that line ?—A. No, I don't think so. I think the agitator has a certain influence with some, but I don't think he influences the majority of the union.

Q. Is there any attempt, as far as you know, on the part of say the Dominion Trades and Labour Congress, to put a stop to the circulation of this sort of literature among trade unions—the extreme socialism style, or the strong articles that are written against capital ?—A. Not that I know of.

Q. Would it not be a good plan ?—A. I don't think it would. I think that the more restrictions you place on trade unions the more you stimulate them. I find that trade unionism is embracing socialism more than it has ever done before, just for the reason that their employers are trying different means to oppress them, and it only cements them more closely.

Q. Is that the way you account for socialistic opinions permeating unions ?—A. I think if it continues as it is that socialism will grow, and that it won't be many years when socialism will control.

By His Lordship :

Q. I suppose no one in a union ever takes up cudgels on behalf of employers ?—A. I have heard it. In unions that I attend the employer's interest is certainly looked after.

Q. Is it your impression that the majority of labouring men feel that the interest of employer and employed are or should be identical ?—A. I don't know that the majority do—I do myself. I feel that they have a common and not a hostile interest.

Q. The doctrine of socialism is that it is a hostile interest ?—A. I have no sympathy with such a doctrine. That doctrine is spreading very rapidly.

Q. And it exists to a large extent through the western portion of America ?—A. Yes. I account for that by the unwillingness of the employer to meet his men.

By Mr. Rowe :

Q. Suppose a body of men or employers refuse to recognise the union, and supposing these men have no resources, they cannot form a union or work elsewhere, what

is likely to be the effect politically? Does it tend to make them socialists?—A. Well, I don't know, I am sure, along the line, what would be the effect.

By His Lordship:

Q. Do you think the incorporation of unions would have a tendency to stop socialism?—A. No, I don't think so. I have thought that it would have a tendency to make members of unions think more politically, and in that way it might draw them away from the extreme socialist idea. There would be less yielding to the agitator.

By Mr Rowe:

Q. Take a number of men who are refused the right to organize. These men consider that one way they protect themselves is by a union? If it is impossible for them to exercise that power or have that weapon, would the tendency be to suggest to them that they should use their influence politically?—A. Yes, I think so.

Q. So the effect of suppressing a union would be to make the men ardent advocates of the destruction of capitalistic influence?—A. Yes, I think so.

Q. And they take the position that there is no common ground between employers and employees?—A. I believe the socialist does.

Q. What has been the general result of the use of strikes and the use of the union upon the position of the men? Have settlements usually been in favour of labour or against?—A. A little in favour of late years.

By His Lordship:

Q. That is on a rising market?—A. Yes.

Q. What will happen on a falling market?—A. If there is a fair prospect it will continue so.

By Mr. Rowe:

Q. In your mind, does this increased power of labour indicate that their demands are more reasonable or the powers greater?—A. The powers are greater.

Q. Are the demands more or less reasonable than before? Is there a tendency to increase the demands beyond the power of reason?—A. There is that possibility, but I think the men usually are reasonable.

Q. What is your opinion as to the method of settling strikes?—A. I favour compulsory conciliation.

Q. Describe the method?—A. When a dispute arises, I would have an employer, or a person interested on the employer's side, appoint a representative; the union employees, a representative, and I think the Governor-in-Council should appoint a third person—the Dominion Governor-in-Council.

By His Lordship:

Q. That would be machinery applicable to large strikes?—A. That would be, of course, a large strike. It could not very well recognize any little trouble.

Q. You are in favour of compulsory arbitration?—A. I mean by that, conciliation. In case the conciliation board could not effect a settlement, I would favour compulsory arbitration, with a binding award.

By Mr. Rowe:

Q. When you speak of conciliation, you mean each party would reach a settlement by mutual consent?—A. Yes, the matter would end there.

Q. First attempt to conciliate, and, failing in that, it would have power to arbitrate?—A. Yes.

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By His Lordship:

Q. Assuming the case of a decline in prices, and these arbitration boards began to give decisions against union people. Do you think they would be loyally observed, the same as if in their favour?—A. I rather think so.

Q. Supposing an employer makes out a good case to the satisfaction of the board, that there is not sufficient profit in the business to justify a change in prices?—A. They would probably not accept it as loyally, but I think they would accept it. If it is proven to a body of employees that an employer cannot pay a certain rate of wages, I think they should accept what he can pay. I think they would obey such a decision.

Q. It would be difficult to enforce a decision against a large number of men?—A. Of course, there are difficulties in the way of enforcing awards, but I think it could be fixed.

By Mr. Rowe:

Q. Would public opinion have anything to do with it?—A. It would have a great deal to do with it. In the present struggle just now trade unionism depends very largely on public opinion, and unions that have not got public opinion don't usually succeed. Public opinion enters very largely into the matter. It has a large influence in the settlement of these strikes. I think, in the case of troubles resulting in strikes, the great difficulty is to bring employer and employed together; that seems to be the chief difficulty. It is a case of misunderstanding, and I think, by compulsory conciliation, if they were compelled to come together on the start, matters would be more readily adjusted.

Q. It could be done under trade agreements between unions and employers?—A. I hope it will come to that.

By His Lordship:

Q. Who would you have as conciliator—special boards, such as the Board of Trade?—A. Of course, I have never thought of that very thoroughly, but I think a permanent board might be appointed, or a permanent officer. That would be the idea—a permanent officer appointed to act in conjunction with representatives of the two parties.

Q. Failing that, in large strikes, compulsory arbitration?—A. Compulsory arbitration, yes. I find that that is a popular sentiment among trade unions—compulsory arbitration.

Q. That is the most popular method?—A. I have never heard of a substitute for it.

By Mr. Rowe:

Q. Is the general consensus of trade unions against strikes?—A. I think so—to avoid strikes wherever possible.

Q. Does a labour leader's power depend upon his success in conducting strikes, or in keeping his craft out of strikes?—A. The successful unions have kept their crafts out of strikes. I think more success will accrue to a leader by keeping his men out of strikes than by successfully winning strikes.

Q. How does the pay of printers here compare with the pay of printers in other parts of Canada?—A. Between here and Toronto—I suppose the rate here would be probably 20 per cent higher.

Q. Is there that difference in the charge for printing and publishing?—A. Yes, I think it is about equal.

Q. Is there a maximum wage law in your union?—A. No maximum.

Q. May a man earn as much as he can?—A. Yes, there is no limit to the output of his capacity.

Q. Supposing he is paid by the day, working a typesetting machine, is he allowed to set as much type as he pleases?—A. Yes, as a day's work. Some set more than others.

JAMES D. McNIVEN—Victoria, May 14.

By His Lordship :

Q. Supposing an award has gone against the men. The arbitrators think their demand for a certain wage is impossible, and it is a less award than they feel inclined to accept. Would there likely be complaints with the award?—A. Such a tendency is possible.

Q. Suppose all the men combined to defeat the award by doing as little work as they could?—A. I suppose if a man's business could not stand the work, he could not pay for a man who soldiers.

Q. Supposing they all soldiered—they would be a combined union of soldiers?—A. The only remedy he would have would be to replace them, I suppose.

Q. When we are considering the possibility of introducing a system of compulsory arbitration, we must consider the consequences. If the awards are not observed by the men, or they show a spirit of disobedience, how is the employer to be protected? It is easy to enforce the award against the employer?—A. Of course, the only way I can see, if they found the men were not doing the work, would be to replace them.

Q. I am assuming the case where the men think the award is not fair to them, and they say, we will defeat it by soldiering round. They force the employer to discharge them in that way, and if the employer cannot get any other workmen, how is the business to go on? No men would work in place of the discharged men?—A. The great fear now is, there is an established rate of wage and certain conditions in a union, and union men refuse to work or leave employers; for these reasons, it is very difficult to get men to take their places, for the reason that they fear the action of the union. They are branded as scabs and unfair men.

Q. I am assuming a case where the union forces its own discharge because they say the award is unfair. Then the employer would have to employ new men. They would take the places of these men who were discharged. In that way they could virtually defeat the award by enforcing the discharge of the men?—A. I don't think they would be likely to act in that way.

Q. They could discover if they soldiered—there is a minimum?—A. Yes, there is a minimum. International law forbids such a law, but still the office has a right to say how much a man can do, and it is easy to detect him, if he fails to come up to the mark.

By Mr. Rowe :

Q. Would that not be equivalent to a violation of the award?—A. Yes, I suppose it would be.

By His Lordship :

Q. The sum and substance of it is, you cannot force men who are unwilling to work?—A. There is a difficulty there. There is also a difficulty in forcing an employer to continue his business. There should be a law, I suppose, against the lock-out.

Q. Any man could close down his shop for a few months until the men left, and then fill it up with non-union men?—A. Yes, of course I have not thought the matter out fully enough to fix up all that.

J. W. BOLDEN, sworn.

By His Lordship :

Q. What is your occupation, Mr. Bolden?—A. Carpenter.

Q. Are you a member of the Carpenters' Union?—A. Yes, sir.

Q. Do you hold any office?—A. I am delegate to the Trades and Labour Council.

Q. How many men are in the Carpenters' Union ?—A. There are between 80 and 90—probably a little more. There are 90 at present, but on account of prospective members I should say close to 100.

Q. How many non-union carpenters are in Victoria ?—A. That is very hard to judge—probably about 35.

Q. Is the Carpenters' Union affiliated with any other union ?—A. The carpenters are a branch of the Amalgamated Society of Carpenters and Joiners, with headquarters in Manchester, England.

Q. They are a branch ?—A. Yes, sir.

Q. Have you a copy of the constitution ?—A. I have not a copy with me. I thought probably the secretary would be examined in regard to the union. The secretary is Mr. Hammond.

By Mr. Rowe :

Q. The secretary of the local branch ?—A. Yes. I have here with me one of their monthly reports which contains a good deal of information. It is published in London.

(Journal of Carpenters' Union—Exhibit N.)

Q. They have a correspondent here ?—A. Yes. I might state that it is the duty of every branch to make out a monthly report as to membership, state of trade in that locality, wages and hours, which is all reported and tabulated in this monthly report.

Q. Is there any other large organization of carpenters besides the Amalgamated Society ?—A. There is the American Federation of Carpenters and Joiners. There is no branch in the city of Victoria.

Q. There are branches in Canada ?—A. There is a branch in the city of Vancouver.

By His Lordship :

Q. How long has the Victoria union been in existence ?—A. I think about ten years—from ten to twelve years.

Q. Was the American Federation of Carpenters in existence then ?—A. Yes.

Q. Was there a discussion then as to which organization to join ?—A. No doubt, at that time. I was not a member of either at that time; I cannot tell.

Q. What do you consider the advantage of belonging to the English association ?—A. The advantage is no doubt derived from the fraternal benefits attached to it, which accounts for its existence in Victoria, and the other society being out of existence here. There was once a branch of the American Federation.

By Mr. Rowe :

Q. What are the fraternal benefits you refer to ?—A. Sick benefits and a very important benefit— that if a man loses his tools he has them replaced by the society.

By His Lordship :

Q. He could get a new set of tools ?—A. Yes. It is a sort of insurance.

By Mr. Rowe :

Q. He pays monthly dues for these benefits ?—A. I might state that there are two sections in the society—a section known as the ordinary section, which takes in men from 21 to 40. These men pay twenty-five cents a week and receive these benefits. Then, there is another section which takes in men of forty years to sixty. They don't, of course, reap the same benefit. They don't have the old age benefit or the sick benefit. We have other benefits so that in case of strikes or lockouts these men are provided with a weekly sum. The men over forty pay eight cents a week. The men over forty cannot belong to the other section of the union.

By His Lordship:

Q. What is the position of the central body as to strikes?—A. The only power they have is in case of any dispute, it is the duty of the local branch to give three months' notice before we enter into any dispute at all as to rate of wages or hours of work. We have to give them three months' notice, and we have got to get permission from headquarters first, and in any event we cannot go out on strike without permission.

By Mr. Rowe:

Q. Is the executive in England?—A. Yes, in Manchester. We have what we call a local district for the management of local affairs. The head office is in New York.

By His Lordship:

Q. Has it power to deal with strikes?—A. Yes.

By Mr. Rowe:

Q. Without reference to Manchester?—A. Yes.

Q. Where are the funds administered, in Manchester or New York?—A. Each local branch keeps its own funds, with the exception of the levy which is collected semi-annually, which goes to headquarters.

Q. What do you consider headquarters, New York or Manchester?—A. Under the present arrangement, New York.

Q. Is there a convention of the society?—A. Yes, held at Manchester.

Q. Could your union send a delegate to that?—A. No. He is sent by districts. All the one order is divided into districts, and each district sends delegates. The districts are named by means of the referendum. There are 16, I think. Those receiving the highest number of votes in the district are sent to the general convention, which takes place every four years.

By His Lordship:

Q. How many districts in Canada?—A. There is only one district on the American continent.

Q. Out of the whole sixteen?—A. Yes, the others extend over all English-speaking countries.

By Mr. Rowe:

Q. What is the membership?—A. Somewhere about 70,000.

By His Lordship:

Q. Do the members take an oath when they join the order?—A. No. They are recommended, and are expected to obey and abide by the constitution and by-laws.

Q. What kind of machinery is there for altering the by-laws?—A. Each local has its own by-laws. That is what we would call, probably, the rules. That simply refers to local matters, with regard to matters between the employers and the men, but really our by-laws, of course, are made by the district in convention.

Q. How is that convention convened?—A. I am not very familiar with the workings of it.

Q. By action of the locals?—A. I think the district meets once a year. Not always in New York, but in a place that has been arranged at the last meeting. The delegates from each district are nominated by means of the magazine which is sent out. Their attention is called to the fact that they have the power to nominate, and when the nominations are all in, they are submitted to the members, who vote on them—the members of each individual branch.

J. W. BOLDEN—Victoria, May 14.

By Mr. Rowe:

Q. Is there any test of fitness for the men of your union?—A. First, a candidate must have been five years at the trade, must be of good moral character, and able to do a good day's work.

Q. How do you distinguish between contractors and journeymen?—A. It is sometimes very hard to distinguish. The trouble is, some of our men are contractors and some journeymen.

Q. I notice in one of the constitutions, that if a bricklayer takes a contract for over $300, he is classed as a contractor?—A. We have a provision like this: If a man goes contracting, he simply does not attend the meetings or take any part in the discussions. He is refused the right to vote. His presence is not requested at any meetings until he refuses to contract. He is in receipt of all the benefits.

Q. He is just excluded from participation from the meetings when he is contracting?—A. Yes.

Q. There is no definite sum involved in the contract?—A. I might state that some of the largest contractors in England are among the members of the society, and some of the men in this province. Some of them have already obtained the old-age pension. There are some in British Columbia enjoying the old-age pension. We have one in ours.

Q. What is the amount of the pension?—A. I could not tell you.

Q. And this 25 cents provides for sick benefit. What is it?—A. I think it is $2.50 a week for 26 weeks, and then I think it is $1.50 a week. We have also an out-of-work benefit.

Q. It would be available at time of strike, or any time?—A. Any time when employment is not to be obtained in any of the cities. If there is work in Vancouver, we will send a man over and pay his expenses or bring a man here. It is the duty of the branch at that end to send men here.

Q. Men are permitted to work in the jurisdiction of other lodges?—A. Yes.

Q. Does it require that there shall be no non-union men working on jobs?—A. It makes no differece.

By His Lordship:

Q. That is not a subject of contention between employers?—A. Not yet. I might state that under our rules we could go on strike against any non-union men.

Q. You were on strike recently?—A. We are out on strike at the present moment, but it is not the action altogether of the union. It is the joint action on the part of both union and non-union men. The trouble is as to a raise in wages.

Q. Are the carpenters in the city on strike now?—A. With the exception of a few non-union men.

Q. It is a wage trouble?—A. Yes.

Q. What is the trouble?—A. The demand is for $3.50 a day and Saturday afternoons off, or $3 for 8 hours.

Q. $3.50 for 9 hours, including Saturday, but you only want to work half a day on Saturday?—A. Or, in other words, $3.50 for 8 hours and 44 hours per week.

Q. You don't ask them to pay the $3.50 on Saturdays?—A. No, $1.75.

Q. That is practically the same you would be getting under the old arrangement, only you would not work Saturday afternoon?—A. About the same.

Q. In fact you earn as much a week with the exception of Saturday off?—A. It amounts to about the same thing.

Q. How long have you been out?—A. About two weeks.

Q. What is the prospect of settlement?—A. I think it will be settled in probably a couple of days by compromise.

Q. Who are the parties who would arrange the terms—a committee of the men ?—A. There is a committee. It is composed of an equal number of union men and an equal number of non-union men. They have got the matter in hand to deal with.

Q. The employers are dealing with that committee ?—A. There have been meetings, but I don't know whether they have got recognition. I might state that our secretary is present and will probably answer these questions.

By Mr. Rowe :

Q. Would work on Saturday afternoon count as overtime ?—A. That is the latest proposal that has come from the contractors, that if the men work overtime they should be paid 50 cents an hour when they are working. If they wish to work on their own accord they should be paid 40 cents an hour.

By His Lordship :

Q. Is this the first strike the carpenters have had here ?—A. Practically it is in my time, for the last thirteen years.

Q. I suppose you are in favour of the principles of unionism ?—A. Well, I generally advocate them.

Q. Do you think they should be incorporated ?—A. No, I would not say I was in favour of incorporation. I might say that the Trades and Labour Council would like incorporation. That is, incorporation under the local benevolent Act.

By Mr. Rowe :

Q. You are president of the Trades and Labour Council ?—A. Yes.

Q. You approve of the action of the council in that matter ?—A. Certainly.

By His Lordship :

Q. One effect of incorporation would be the selection of good men for officers ?—A. No doubt it would have that effect.

Q. And it would be easier for an employer to deal with an incorporated union ?—A. Speaking for the Trades and Labour Council, we have very little dealings with any employer. The position we stand in for labour is something about the same manner that the Chamber of Commerce does to the merchants. It simply discusses matters that tend to the betterment of the conditions of the working class. We have no power to either order or stop anything. We can only endorse their action or probably assist them as individuals.

Q. Take an incorporated union as against one that was not—there would be a greater incentive on the part of the employer to deal with the incorporated body ?—A. Employers, as a rule, advocate that trade unions should be incorporated. I would begin to feel suspicious that there might be something behind it. When they advocate it there might be some reasons to oppose it. One of the principal reasons is that they might attack the funds.

Q. They could do that without incorporation ?—A. Probably that is so.

Q. The way I understand it is that an employer feels he is not entering into a contract with responsible parties ?—A. My experience is that trade unions usually stand by their contracts.

Q. Well, we see the other thing happening ?—A. I think there was only one union, and that was a union that had practically no experience. A union with probably a couple of weeks' experience is not to be expected to have the same understanding as a union in existence for a number of years.

Q. If a body of men were incorporated a better class of men would take more interest in the proceedings and see that good men were elected as officers ?—A. My experience with trade unions is that the best men are taken as officers.

Q. Do any agitators ever come into unions ?—A. I don't know what is meant by agitator. That is a term I have heard often.

J. W. BOLDEN—Victoria, May 14.

Q. I am sure I cannot enlighten you if you yourself don't know. Have you any suggestion to make about the settlement of strikes when the parties cannot agree ?—A. Personally, I am in favour of compulsory arbitration myself, but I don't think that the time is ripe for it yet.

Q. Why ?—A. You are probably aware that Mr. Mulock has brought a Bill out dealing with this question with regard to railways, and that Bill has been discussed in almost every trade union from one end of the country to the other, and I think I am safe in saying that 75 per cent of the trade unions have turned it down.

Q. That was for compulsory arbitration ?—A. Yes.

Q. They are trying a new remedy ?—A. I am speaking about the first Bill.

Q. That Bill was withdrawn ?—A. I know, but the principles of compulsory arbitration were embodied in that Bill and discussed, and from the sentiments expressed by the different unions on that Bill I have come to the conclusion that trade unions were against the principle.

Q. What do they want ?—A. I think the trade unions would be more inclined to conciliation.

Q. If the parties won't conciliate—what then ?—A. Compulsury arbitration then. There is a great deal of difference between conciliation and arbitration.

Q. But what is to be the final opinion of the majority where the parties cannot be got to settle by conciliation ?—A. I think that remedy is to be found in the Bill which is at present before the local House. I think it is in the third clause of that Bill where it compels both the employer and employee, before resorting to any strike or lockout, that they shall submit their differences to a board of conciliation. In that case, I think the principle is good. In certain cases, before the ordering of a strike the matter could be settled.

Q. A strike having been inaugurated, what would you do if the parties won't conciliate or settle ?—A. Compulsory arbitration, in my opinion. I know the majority of unions are against it.

Q. What do they propose ?—A. There is no doubt that is the object of this commission to find out.

Q. We are not getting much assistance from the leaders of trade unions ?—A. I cannot help it.

By Mr. Rowe:

Q. The first step is compulsory investigation ?—A. That, in my opinion, should be the first step.

By His Lordship:

Q. The first thing is to conciliate, then if they won't, compulsory arbitration. You say the majority of the unions are opposed to compulsory arbitration ?—A. I think the remedy has not been found yet. That, I think, is the purpose of the Commission.

By Mr. Rowe:

Q. What do you think is the ground of the unions' objection to compulsory arbitration ? You said the time was not ripe yet ?—A. In my opinion it is an untried remedy yet.

By His Lordship:

Q. It has been in operation for five years in New Zealand ?—A. Yes, but the results from that country have been conflicting. Only lately we have had cases cited to show that compulsory arbitration is not what it is represented to be.

Q. Is it not a fact that prices are falling there, and that decisions are going against the working-people, and that they don't like that kind of decision, and here-

tofore they have been in favour of the working-people ? In other words, that the arbitration has been held on a rising market, and now, with the turn of the tide, the working-people object to the awards ?—A. To return to your first question, I say that I consider conciliation should be attempted first. I am of the opinion that if the two parties are brought together to discuss matters there will be no need of any further action.

Q. Speaking generally, but there are cases where the parties will keep apart, and therefore there must be machinery provided, especially when the public is being injured. My question is, what machinery would you provide ?—A. It is hard to find out what machinery would be effective in that case.

By Mr. Rowe:

Q. Do you think the government should take on itself the power of intervention after the request of either party ?—A. In certain cases it would be well to do so. It has proved beneficial in the Fernie strike. The government certainly benefited by intervening there.

By His Lordship :

Q. It showed the government had the power. That strike was finally settled by a committee of investigation. It was settled by conciliation ?—A. Yes. I might state that in our constitution we have got a rule which has been a great deal of good in the settlement of strikes—(Art. IX., sec. I., Constitution of Trades and Labour Council) : 'so as to obtain a more thorough unity of action, it is recommended that the several unions consult with this council before entering upon a strike. Sec. 2. The avoidance of strikes, and the substitution of arbitration as a means of settlement, is strongly recommended whenever practicable, and the dignity of organized labour will permit.' It is the custom of unions, as pointed out there, before entering on strike, to send a notification of the fact that they are entering on it, and asking the good offices of the Trades and Labour Council, and the executive generally takes it in hand, and in some cases have effected a settlement before it came to a strike.

By Mr. Rowe:

Q. What are the conditions of membership in the Trades and Labour Council ? What unions may be represented ?—A. Any union that has a national or international connection—that is, if there is an international union in their craft. Otherwise they must have a charter from the Trades and Labour Congress of Canada.

Q. Either a national or international charter ?—A. Yes, either one will do.

Q. Is the Letter Carriers' Association represented in the Trades and Labour Congress ?—A. Yes, they have a Dominion charter. It is a national institution, not international.

Q. So you don't bar unions on the ground that they have international charters ?—A. We bar them from joining if there is an international and they refuse to join. From the evidence given yesterday the bricklayers intend to take a charter out from the Trades Congress of Canada. As a matter of fact, they will be unable to do so because there is an International Bricklayers' Union.

Q. If there is an international union, then a charter from a national organization won't do ?—A. No.

By His Lordship :

Q. Why is that ?—A. There are many reasons for it. It is to reduce, no doubt, the large number of small bodies that are in existence, bringing them into the one lodge—unity of action.

Q. Would not the Canadian workmen be as well off by consolidation into Canadian organizations ?—A. In my opinion, the Canadians have the best end of the handle under the present arrangement.

J. W. BOLDEN—Victoria, May 14.

Q. You mean they get more than they give ?—A. Yes.

By Mr. Rowe :

Q. In what way ?—A. Some of the very largest offices are held by Canadian people. They practically almost control the largest number of unions on the American continent. They live on the other side. I could not say whether they are citizens of the other side.

Q. Take your organization, Mr. Bolden, where you have districts. Supposing there was a Canadian district and a district in the United States, would your lodge suffer any disadvantage in that respect ?—A. No, just the same.

Q. Your relation to the whole would be just the same ?—A. There is no doubt that when we are large enough our organization will have a district of its own.

Q. Then you would be debarred from the Trades and Labour Council ?—A. We would still be affiliated with them, but we would simply be another district. The charter comes from the old country.

By His Lordship :

Q. Do you think it advisable, in the interests of Canadian labour, that they should be liable to be called out by United States organizations ?—A. I don't think it is wise myself. In our union it is impossible.

By Mr. Rowe :

Q. You have three months' notice ?—A. Yes, three months before you wish for any raise of wages. We have also, before we can go out, to have permission from our district. Three months' notice was given in the present strike.

Q. You think Canadian workmen should decide their questions of strike without being called upon to strike by outside influence ?—A. Certainly.

Q. Has your union ever been out on sympathetic strike ?—A. Not to my knowledge. There has been no necessity for it in this city, I don't think. I question whether we have power under our rules to come out on sympathetic strike. That is, as I interpret the rules—I may be wrong. We have got to give three months' notice. It is likely the strike may be over by that time.

By His Lordship :

Q. Do you think there are any circumstances in which sympathetic strikes are justified ?—A. Yes.

Q. What are they ?—A. I notice that a large number of strikes do not arise out of questions of hours or wages, but very often by the arbitrary action of some individual. It may affect not only the men directly affected, but others who are working in an indirect way for the same thing. Therefore, I think the others are justified in going out in sympathy with the others.

By Mr. Rowe :

Q. Could you name any class of trouble in which it is justified ? Do you think it is justified in the case of demand for recognition of the union ?—A. Yes, if that is legal and the men are working for the same firm.

By His Lordship :

Q. Suppose there was no connection at all between employers, would you say a sympathetic strike was justified ?—A. I would consider that a long while. I would have to know the actual circumstances.

By Mr. Rowe :

Q. I suppose the circumstances where a craft of a higher order of skill come out for a craft of a lower order of skill, and thereby help them to get their demand ?—A. Yes.

By His Lordship :

Q. Have you ever known of a strike of Canadian workmen being instigated on account of trouble in the United States ?—A. It has not been my experience to be connected with a case like that.

By Mr. Rowe :

Q. Have you paid organizers in your association ?—A. Not to my knowledge.

Q. Who organized the lodge here ?—A. I was not here at the time, I don't think. I am unable to answer the question.

Q. Are you affiliated with the American Federation of Labour ?—A. I am not certain. I think we are.

By His Lordship :

Q. Is there anything else you would like to say ?—A. Only to say, as far as the Trades and Labour Council is concerned, we have the best interests of not only our own men at heart, but of the whole community as well. A certain class of people seem to understand that we are trying to push socialism, and I would say that nothing is farther from our thoughts. We are simply discussing these questions, and have come to some opinion upon the merits of the question as it may appear to us. We are watching any legislation that may be presented to the public.

By Mr. Rowe :

Q. You had candidates in the field at the municipal elections ?—A. Yes.

Q. Were their platforms pronounced ?—A. We did not decide on any platforms. Our society is composed of men from all parties. I believe some are Conservative, Liberal, and I think there was a socialist, so we could not decide on any platform. We recognized certain principles which we could agree on.

Q. What were they ?—A. The 8-hour movement and day labour.

Q. What was the referendum at the time ?—A. That was on the 8-hour day for the city labourers. It was carried by about fifty per cent.

By His Lordship :

Q. Can you tell us what proportion of the labouring population of the city hold socialistic views ?—A. A very small proportion.

Q. I mean the union people ?—A. I think the labour people are not affiliated with any party at the present moment.

Q. What proportion of the union men hold socialistic views, as near as you can judge ?—A. Well, judging by the representatives upon the Trades and Labour Council, I should say about one-seventh. That is, of extreme views. They all have more or less socialistic views, but I mean extremists.

By Mr. Rowe :

Q. Those who take the view that capital and labour are irreconcilable ?—A. Yes, I think you are safe in saying that.

Q. You ran several school trustees—the Trades and Labour Council nominated several school trustees this year—did they have a platform ?—A. Well, they had and they had not. The convention called to nominate candidates did not decide on any particular platform, but the platform advanced by the candidates was to a certain extent formulated.

Q. What were its chief features ?—A. Equal wages, if I am not mistaken, to all the teachers in certain grades. It also took in technical education, a subject which the Labour Council has taken up and is pushing very much.

Q. Anything else ? School books ?—A. Yes, that is another thing—free school books.

J. W. BOLDEN—Victoria, May 14.

Q. Have you any objection to technical education ?—A. No. I must qualify my statement. The system as adopted in the United States is objected to by different members very much, but the Havery system is very much approved of. The system adopted by the United States is a trade school and manual training. Their system is to give a boy an education along the theoretical side.

Q. The union would be opposed to manual training schools ?—A. Yes, for this reason : There is no boy or young man could learn a trade without practical experience, and such experience must be obtained in practical work. The knowledge received at schools must be superficial.

JOHN HAMMOND, sworn.

By His Lordship :

Q. You are a member of the Carpenters' Union ?—A. Yes.

Q. What office do you hold ?—A. Secretary.

Q. Have you a copy of the constitution of the union ?—A. Yes, sir.

(Constitution of Amalgamated Society of Carpenters and Joiners.—Exhibit P.)

There are a few subjects I have made notes on in regard to the benefits : The amount our employees are allowed in sick benefits comes to $48 in one year, at the rate of $2.50 per week for the first 12 weeks, and $1.50 for the remaining 12 weeks, making a total of $48 for one year.

Tool Benefits.—If I happen to lose my tools by fire or water or theft, I get reimbursed to the extent of $100 and $5 for my tool chest.

Sick Benefits.—$3 for 26 weeks and $1.50 so long as sickness continues. That is with regard to the ordinary members. There is a clause that if they are not likely to recover they are allowed this sick benefit as long as they live, and are allowed to supplement their sick pay by working at their trade. If their wages don't exceed half of the wages of the district, their sick pay is not taken from them.

Accident Benefit.—If I happen to meet with an accident while following my employment, if I am totally disabled, I am entitled to the sum of $500; if partially disabled, I have to pass a medical examination, and this is forwarded to Manchester, the head office, and they investigate the case, and if it is decided that I am unable to resume work within a few years, I am allowed $250.

Funeral Benefit.—I am entitled to $60. If my wife should die first, I am entitled to $25 for her and $35 remains for my funeral expenses when I die.

Superannuation Benefit.—If I have been a member for 25 years and am over 50 years, I am entitled to $2 a week for life.

There is another clause with regard to a contingent fund we have. Each member pays what we call a levy of six cents per member per quarter. That goes to a contingent fund. That is to pay any one who is in distressed circumstances, or the widow of any member who is in distressed circumstances, or the children. There is no special sum. It is left to the officers, and they allow what they think is right. I have known as much as £10 to be allowed to children.

Q. Is that in the constitution of the main body ?—A. Yes, sir. This—[Monthly Report of the Carpenters' Society—Exhibit Q]—is the monthly report of the society, showing the progress made by it since formation. It also shows the rate of wages and number of hours in the places where the society has branches. There are branches in the United States, Canada, South Africa, New Zealand and Australia. For the government of this society we have what is called a general council, which meets every

three years. The society as a whole is divided into 17 districts, 14 in the United Kingdom, the American district and Australia. The districts send in delegates, and each branch in the district nominate any member whom they think proper. He is taken on a vote of the whole in the district, the man having the highest number of votes being sent as representative. Every three years the rules can be altered by amendments or suggestions coming from branches. If the society has any rules to alter they send it in to the general council at Manchester and they alter if they see fit. I might mention that there is a suggestion to go into the council that Canada should have a representative district of its own, separate from the American district, and have a representative in the government of the society in Manchester.

Q. What is meant in the rules by the E. C. ?—A. That is the Executive Council. That is the next governing body to see that the rules are carried out.

Q. That means the Executive Council situate in Manchester ?—A. Yes, outside of members residing within twelve miles of Manchester and within fifty miles of Manchester.

Q. The Executive Council also have to sanction a strike ?—A. If we wish to strike we have to write to the district office. If they see anything that might require urgency they could give permission temporarily until the sanction of the executive at Manchester.

Q. I see that the executive have power to declare a strike closed whether the local people like it or not ?—A. Yes, in a good many cases they have done so. If information comes to the executive that the strike has been hasty, they send a representative and declare the strike closed.

Q. That is a power that so far we have not seen taken by any other executive ?—A. My opinion is that it is a very good one indeed. I would also say that each month the secretary of each branch has to send in a monthly report as to the state of trade, the number of men within the branch, number of branches, number of men receiving sick pay, number of men receiving out-of-work benefit—a monthly report.

Q. What do you say as to compulsory arbitration ?—A. I am against it.

Q. Do you believe in conciliation ?—A. Yes, in conciliation between the two parties interested.

Q. What do you say as to compulsory investigation of disputes ?—A. I believe in conciliatory measures—that is, to bring the two parties together. I am of the opinion that the two parties interested should come together themselves, and I don't know of any case where two men have come together where they have not come to some mutual agreement. Arbitration will never do any one any good. It makes a feeling when you are beaten that you will have your turn sometime, and you don't go to work with the same satisfaction as if you agree. Instead of dragging solicitors into a dispute, I am satisfied that if the parties would meet together it would alter an employer's position with workingmen.

Q. You think employers should meet their men ?—A. Yes. In our own dispute they were averse to meeting or discussing, and letters have been passing to and fro. The first time we got together we came as near as could be to settling matters. I might say in reference to what my brother workman has remarked, that with regard to the three months' notice, that is only a local rule. Manchester and London and large districts have to have 6 months' notice from either side ; such notice to expire on May 1. Here in Victoria, we give 3 months' notice.

Q. What would you suggest where the employer won't meet the employees ?—A. Compulsion to make him to meet the employees. The number of members in Canada, as well as on the American side, is given in the monthly report handed in.

J. W. TROUPE, sworn.

By Mr. Bodwell :

Q. You are the manager of the C.P.N. Company in Victoria ?—A. Yes, sir.

Q. That company is being operated in connection with the C.P.R. ?—A. Yes.

By His Lordship :

Q. Another case of merger ?—A. Soon will be.

By Mr. Bodwell :

Q. And there was a strike in progress which has affected the C.P.N Company ?—A.—Yes.

Q. Will you just state how you came into possession of that paper ? (Exhibit 8.) —A. It came from Juneau. It was brought back by the purser on the *Princess May.* Brought back on the last trip of the *Princess May.*

(Document read by Mr. Bodwell.)

By His Lordship :

Q. How did you get possession of this ?—A. I don't remember. The date the purser got it was, I think, May 6. He turned it over to me on May 7. I have no idea when the first copy appeared. I may say that we had an agent there and he said that when he was up against a proposition of that kind, it was pretty hard for him to get business.

Q. Where did you get this ?—A. At Juneau, one hundred miles this side of Skagway.

By Mr. Bodwell :

Q. You were managing the affairs of the C.P.N. Company during the period of the trouble when Mr. Estes was here ?—A. Yes.

Q. The Steamshipmen's Union did not join in the strike for some little time ?—A. No, they did not take part at first.

Q. There was a strike at one time before. How long was that before the 6th March. that was the day the *Charmer* was stopped ?—A. On March 5 the men refused to handle what they termed 'scab freight'—the men on the *Charmer*—and gave me to understand that it would be applied to all the steamers, although it was so difficult to tell what scab freight actually was and was not, that it was difficult for me to tell how far it applied.

By His Lordship :

Q. Who told you this ?—A. The first notice, I think, came to the captain of the *Charmer;* it didn't come to me. It came from Mr. Bulley, I think. He was the representative of the B.C. Steamshipmen's Society, and he was working on the *Charmer* at the time, and took the most active part.

By Mr. Bodwell :

Q. And in consequence of that did you have a meeting ?—A. In consequence of that notice, we went along without handling non-union freight. In fact, it meant that we were handling practically no freight at all. The freight was falling off in Vancouver——

By His Lordship :

Q. You quit putting non-union freight on the *Charmer* ?—A. Yes, from that time up to the time of the strike of March 17.

By Mr. Bodwell :

Q. What I want to know is, if you had a meeting of the men or some of them in consequence of that first notice ?—A. Yes. About that time I had a meeting one night on board the *Charmer* with Mr. Bulley and Mr. Sheff Thompson, and we had a very nice talk over the situation, and they felt disposed——

By His Lordship :

Q. What night was that ?—A. I could not tell what night it was—after the 5th, perhaps along about the 10th of March. I don't know the exact date, but it was really the first talk I had with them over the situation. I told them the record would show that I had treated them fairly, and that the C. P. N. had done fairly by these men ; that I did not see why they should become involved in this affair. It was purely a railway strike, and that if these men were striking in Victoria, why didn't they call on the railway men who were right alongside of them, and who would bring the issue to a close in a shorter time than they could. They, I think, rather saw the matter in my light, and said they hoped it would go along without any trouble, but they had, as I understood it, pledged themselves that they would not handle scab freight, and inasmuch as they were union men they would have to stand by union principles and handle nothing that was scab. The night we had this talk the *Yosemite* was fitting up to go to Vancouver, and they were rather suspicious of her going. I understood from their talk that she was to load up with freight, and that they were going to relieve the situation in that way. I told them I did not intend to break faith with them, and that when I got ready to handle scab freight I would let them know, and I would expect that they would not quit. That was the threat they made. That was the talk we had on that occasion.

By Mr. Bodwell :

Q. Was there not a meeting at which a remark was made by one of the men ?—A. That was later. The thing ran along for a few days, but in the meantime the *Princess May* was going north, and she went into Vancouver, and there was some difficulty there that night, while the boat was not loading any freight, as I remember. In fact, I was here. I gave the captain orders that he was not to take anything as scab freight—that I did not want to precipitate trouble at that time. My own reason was that if I could get along without being drawn into it I would avoid trouble until this affair at Vancouver would straighten out. However, there was some dispute about a lot of baggage that was being brought down from the station to the steamer. It was a very fine point as to what really was scab baggage.

Q. Explain that ?—A. If baggage came in by the train and was handled from the train to the steamer by the steamer's crew that was not regarded by them as scab baggage, but if by any means this baggage got into the baggage-room where non-union men were employed, then it was. Suppose the train got in after the arrival of the steamer, if the baggage went to the baggage-room it became unfair baggage. If it was carried straight to the boat it would not have been. It was a difficult point to settle. At any rate, there was some dispute about this particular lot of baggage on the *Princess May*, going to Skagway. I would not be positive as to any being handled from the through train. Possibly some of it was from the train. At any rate, it was baggage checked through to Skagway. With the second load some one called attention to the men belonging to the steamer that they were handling scab baggage, at least told them they were, and I think Mr. Noonan went down on board and told them they were doing wrong and must come out. They quit work, and the officers of the ship had some talk with them, and they went up-town, I believe, to discuss the matter there, at least some of them. They had some argument about it back and forth, and finally concluded to come on the ship, and the ship did sail, but in the meantime Mr. Noonan wired over to——

J. W. TROUPE—Victoria, May 14.

Q. We have this telegram here: 'March 14.—To S. Thompson from George Noonan. War declared, order out the C. P. N. fleet——'

by His Lordship:

Q. What did you gather was meant by the expression, 'War declared'?—A. I gathered that every member of the B. C. S. S. was to leave the employ of the C. P. N. Company, and that they were to do everything in their power to prevent us running the ship.

By Mr. Bodwell:

Q. How did you come to see the telegram?—A. That same night I heard of this trouble at Vancouver, I received a telegram that I had better come over, that the crew of the *Princess May* had struck, alleging that scab baggage was on board, and that I had better come over and see what I could do. I had then gone down on board the *Charmer* and had gone to bed about 11.30, and just about ten minutes before the boat sailed the telephone of the steamer was rung and the night clerk was told to go and call me and tell me the matter had been decided and the steamer had sailed. I turned over and went to sleep, but the next morning when we came into Vancouver, Mr. Bulley and Mr. Sheff Thompson appeared at the door and asked me if I had heard that the crew of the *Princess May* had gone out. I said, yes I had. They asked me what I knew about it. My telegram was lying on my table, and I turned the telegram over to them, and they handed me theirs. I said, 'Did you do anything last night?' And they said, 'No, we came on over to see about it,'—that they did not act on the telegram, that they went to see about it. From what I could gather, they rather congratulated themselves on coming over to see about it, as their information was not complete. That was the last intimation they got, though I had information that the freight had sailed. The freight would have been tied up that night if we had not succeeded in getting them out. They went to see about it, and the matter was discussed then.

Q. When did you make the arrangement about the twelve hours?—A. It was after that. It had run along for a couple of days after that, and finally one day just when it came sailing day for the *Charmer*, the captain told me that they had given notice they were all going to quit that night. So I said, all right we will see about it. I went down and got held of Mr. Bulley, who was working on the *Charmer*, and had a long talk with him. I talked with others of the crew of the steamer, and asked them what the trouble was—why they wanted to strike. Well, they didn't know. I asked them if they had a grievance. They said, no, we have no grievance, but you know how it is, and we have got to go into this thing. I talked with Mr. Bulley, and I got him to agree to hold this. They were going to have a meeting. They wired from Vancouver calling for a meeting that night. That was some time before the 16th. It was between the 14th and 16th. They arranged for a meeting down here that night, and I——

Q. Here it is March 13—'Call special to-night, *Charmer* loaded with scab freight, all going out to-night?'—A. I would not be sure as to this, but I am giving them in consecutive order, I think. I met Mr. Bulley and had a talk with him after he knew he had called a meeting for that night. I asked him to use his influence with the society that night—with the union—and see if he could not prevent it. I said there was no reason for this strike—I would not bother about this thing. Inasmuch as it seemed so unreasonable, I thought he ought to use his influence to stop it. We had this conversation in the chief engineer's room. I talked to other members of the crew. I said, 'What is the matter with these men anyway? What's the kick?' He says, 'I don't know; it's no use; it is a disease.' One of the other members of the crew of the *Charmer* said this. I thought I could get him to use his influence also, but he said, 'It is no use; it is like a disease, and you can't do anything.' At any rate they did have the meeting that night, and we arranged that if they decided to go on with their work that they would notify me before 9 o'clock that they were coming back. They

notified me a few minutes before 9 that they had a meeting and desired to stay with me. The entire crew of the *Charmer* went up, had a meeting, and decided to come back with the understanding that we were not to handle scab freight.

Q. What arrangement did you make with them as to that ?—A. On that account there was no special arrangement, but on another day—it was on Sunday morning before the strike, we arrived in Vancouver, and I had a meeting in Mr. McGowan's office in Vancouver with Mr. Sheff Thompson, Mr. Bulley and Mr. Noonan, the three heads of the organizations in the two places, and on that occasion we made an arrangement, that is to say, I wanted to know—I told them I was rather tired of the way things were going, and I wanted to know whether they were going on or not. They said they were going on with their work, but that there must be no scab freight handled, and we finally agreed that they would give me twelve hours' notice before they went out, and I would give them twelve hours' notice before I commenced handling freight. By this time you might say we had no freight whatever, everything was scab. The agreement was that they would give me twelve hours' notice, and I would give them twelve hours' notice. I said I did not want to be treated like I was in the case of the *Princess May*. I said I would issue instructions not to handle scab freight, but if anything comes on board that is scab, say so, and don't let it get on board, and then say she is loaded with scab freight and cannot start. I said, 'Play perfectly fair about it, and call the captain and call his attention to it, and he will not have it come on board if there is going to be trouble about it.' They said, all right.

Q. You issued instructions accordingly ?—A. I issued instructions accordingly. On the Sunday night that I got here, that night the *Princess Louise*, Captain McCloskey, was due to leave. I explained to him about the matter, so that there would be no trouble the next day at Vancouver—Monday, the 16th—and I should say, however, on the Sunday previous when these men, Messrs. Bulley and Sheff Thompson, I said, 'Are you going back to Victoria to-night ?' I felt if they stayed in Vancouver we were going to have trouble. I sort of hinted for them to come back.

Q. What did they say ?—A. They said no, we are going to stay here. I asked what the reason was. I intimated they had better come back, but they stayed. I had assurances from Captain McCloskey that he was very particular about his instructions; that nothing should come on which would make any trouble, and he went so far as to get Mr. Sheff Thompson and bring him over to the wharf and showed him the freight, so as to settle whether it was scab freight before it went on, as I understand from him. I am not sure but that Mr. Estes was on the wharf at the time—this was on the 16th—they were all there together, and they agreed that it was all right, the freight that we were taking on, and she finally got away with all of the delegates and Mr. Estes on board. But on the way down they discovered a barrel of oil or something that must have become scab, because some fault was found with it. What it was I don't know, but Captain McCloskey tells me he thinks it was a barrel of oil, but at any rate when they got down here the boat came in as usual. I had so much confidence. I knew that Mr. Estes was coming—I was wired that he was coming, and warned to look out for mischief. That was the word wired me. Of course, I knew what the errand must be, but I had so much confidence in the assurance the men gave me about twelve hours' notice, so that when the *Louise* landed I went home and went to bed. About 11 o'clock or 11.30 there was a man came up who had come from Vancouver and said there was likely to be trouble, and that he had notice of what was going on. He says, 'Mr. Estes came over on that boat to-night. I heard them talking on the way over, and they are going to strike.' I said, 'Yes, but I don't think there is any danger to-night for they promised to give me twelve hours' notice, they might strike to-morrow, but they won't do it to-night.' He said that was all he knew about it, and the next call I got was about 12.30 or 1 o'clock, when I was told that all the crews had struck, and there was not a man left on any of the boats. The only notice I got of the strike was from our agent, Mr. Briggs, on the wharf wiring me that

Mr. Bulley had come in and told him that the men would all quit, and that he had better tell me, which he did.

Q. That was after the men had struck. What did you do? How did you get the *Charmer* out? You did not get the *Danube* out, or any other boats?—A. No, the *Danube* was due to sail that night, and it was impossible to do anything to get her out. It was after her sailing time then.

By Mr. Rowe:

Q. Could she have gone if she had a crew?—A. Yes, sir.

Q. It was not a question of machinery?—A. No, sir.

By His Lordship:

Q. We have had given in evidence that she could not go out, anyway? That the machinery had broken down?—A. If there was I don't know it.

By Mr. Bodwell:

Q. That was not the fact, anyway?—A. As far as I know, it was not the fact. I did not go into the engine-room of the *Danube*—it would have been reported to me.

Q. Now, about the *Charmer*—how did you get her out?—A. Before I dressed myself I telephoned for certain men on the wharf to get carriages and go to the various parts of the town and get the captains, the mates and engineers who I knew were in the city, and ask them to come down and lend me a hand. We had no particular difficulty in getting men except in the stoking-room.

Q. They were not filling their proper positions?—A. No, they were officers of the ship. They were put where they were most useful.

Q. You could not get men for the stoke-room?—A. I was the chief stoker myself, I had one or two men who would stay with me, and there were about enough of the officers who volunteered to help us, and between us we fired the *Charmer* from Victoria to Vancouver that night. We got to Vancouver a little late, and when we reached Vancouver we managed to secure enough men to do the work out of a reserve crew of men that were on the dock at Vancouver, not steamboat men, but men who were truckers, &c., on the wharf.

Q. The Commission will sit in Vancouver, I understand. Captain Troupe can give a lot of evidence, and I suppose they can get that evidence there. I want you to tell us something about the condition of things with reference to intimidation of your men, and the efforts you had in getting men to take the places of strikers, as fully as you can?—A. From the very start we had trouble in that respect, although I must say that night I was called and rushed down I expected to see the men all assembled, but there were practically none. Before we got away with the *Charmer* more or less of the strikers came down to see how we were going to do it, and tried to come on board.

Q. What were they coming on board for?—A. I think for no good, of course, and perhaps curious to know who we had secured to do the work. I stopped them myself. I was feeling pretty warm, and I took possession of what I felt was our own property. I thought I would not be interfered with. The next night we were bothered with men about the wharfs trying—men who were there evidently for the purpose of seeing who was doing the work on board, and as far as I could see, in some cases to persuade them to leave, and in some cases they did persuade them to leave—evidently persuaded men from going to work for us, for on several occasions we got men to state that they would go to work on the boats, and they would come down on the wharf and that would be the last we would see of them. The second night on board the *Charmer* I did police duty myself up to twelve or one o'clock, and I then found one of the strikers down in the stokehole talking to the new firemen we had there, and I had to drive him out. I sent a watchman down below. As it went along it was more aggravating. They seemed more determined that we should not get men, and they made threats and intimidated

the men, so that really it was difficult to get men. We would get men in Vancouver, and they would go for them, and we would lose them.

Q. Did you have any reason to know there was some persuasion used on the men?—A. Not at first. It got getting worse when the *Tees* and *Queen City* were ready to sail. The chief engineer of the *Tees* came and said, 'We are going to have trouble to-night. I have met some of the strikers uptown, and they say they are going to have the crew out of the *Tees* to-night, whether or not.' They said it did not make any difference; they were going to have the crew out.

Q. Any men actually assaulted?—A. I went to the chief of police then, after I thought we were going to have trouble and asked him to give us extra help on the wharf that night. He treated it lightly, but said he would send more men down there. He did send some, but they did not prevent the men from being assaulted. One man lost two of his teeth, and another man came running on the wharf with his face covered with blood and every sign of being used up. I asked the police why they had not stopped them. They said, 'they are too many, and we cannot do anything with them.' The sergeant of police was there, and was doing all he could with them, but needed more help. I went to the sergeant and said, 'give us help enough. If the city can't pay for them, we will pay for enough police to maintain law and order.' They would even molest passengers, thinking they were going to work.

Q. Do you remember an incident in which Mr. Sheff Thompson himself was concerned?—A. One occurred shortly after the strike.

By His Lordship:

Q. What date was this *Tees* affair?—A. I could not say exactly. We could get the record from the police records. One of the men was punished.

Q. Have you any men here who were assaulted?

By Mr. Bodwell:

Q. There were a good many men who were assaulted and abused?—A. I saw a man with a bloody nose. I did not see him struck. He came running along the wharf.

Q. Could you state from your knowledge of the circumstances whether there was a general intimidation going on, so that the men were afraid to work for you?—A. That was absolutely the case. There was intimidation so that men were afraid to work on the steamers until these cases were tried in the police court. After that it was not so bad.

Q. Tell us about Sheff Thompson himself?—A. To explain that I may say this: that one morning shortly after the strike—I could not say which morning, the captain of the *Otter* reported that Thompson had been on the *Otter* and had taken one of the firemen on shore, a man who was disposed to stay. That is, he either got him ashore by persuasion or threats; at any rate, he went ashore with Thompson. I heard of this, and along about noontime I was along the wharfs watching things myself and I met Mr. Thompson coming along between the ships and wholesale houses. I told him that he would have to get off the wharfs or there would be trouble. One of the captains felt that if he came near his boat he knew there would be trouble, and I made up my mind that I would invoke the law, and that is what I meant when I said there would be trouble if he persisted in coming on the wharfs. I recited to him his visit to the *Otter*, and he said that was something he had a right to do. I told him I didn't think he had. I told him he would have to leave the wharf and stay off. I said 'During all the time this is going on I have been as nice as I could—have done everything to prevent this strike, and you folks persisted in bringing it on. You have got to stay off this wharf.' And he did.

Q. Will you tell us about the incident of Bulley's brother, I think, being put off the *Charmer* about two o'clock one morning—you got reports as to that?—A. Yes, on February 3 I received a letter from the captain of the *Charmer* telling me——

Q. You might just read that correspondence, captain.

(Witness reads correspondence.—Exhibit 9.)

I might say that the man mentioned in this correspondence did join the union, although he did not want to. He told me that he had been forced to do it; that he was sorry he had to quit. He had a family here, and as far as I know he has been driven out of the town. He could not work on the boats on account of the situation, and had to look for work somewhere else. He was a good, steady man, and had been there a long time.

By Mr. Bodwell :

Q. The man you put in Bulley's place was not so good ?—A. No, we had to get incompetent men.

By Mr. Rowe :

Q. I suppose that is just a mistake about the firemen's union ?—A. Yes, they are all in together here, all called the B. C. Steamshipmen's Society.

By Mr. Bodwell :

Q. Do you remember anything else of importance, captain ?—A. No.

Q. Here is a paper—do you happen to know anything about that paper ?

(Copy Railway Employees Journal, dated April 9.—Exhibit R.)

A. It is generally understood to be Mr. Estes' paper—most of them by him personally.

Q. From the number of articles signed by Mr. Estes——?—A. It is full of exaggeration and some absolute untruths.

Q. It shows the kind of literature that was circulated among the men the time the strike was on. The whole strike is taken up. It is headed 'Strenuous Life on the C.P.R.' 'Strikers standing firm,' and so on. There are numerous paragraphs similar to the circular. Here is a manifesto from 'the president's headquarters in the field,' and there are a great number of paragraphs word for word.

His Lordship.—You want us to draw the evidence that Mr. Estes drew up everything ?

Mr. Bodwell.—I think he wrote that circular. The suggestion I make is that it will come out clearly in Vancouver that Mr. Estes was the whole thing all the time.

By His Lordship :

Q. You understand, Captain Troupe, that the contention of the men is that this was only a verbal arrangement about the twelve hours' notice to you, given by one of their officers on his own responsibility ?—A. Given by three of their officers, Sheff Thompson, Mr. Bulley and Mr. Noonan on the one side, and Mr. McGowan, our superintendent and engineer was with me at the time.

By Mr. Bodwell :

Q. Is part of the agreement embodied in that? (exhibiting document, Exhibit 5).—A. I never saw this before.

His Lordship.—My recollection is that Bulley said you saw that.

By Mr. Bodwell :

Q. There was a resolution which was published—that was the document you saw ?—A. I saw one. I think they sent me a copy of the resolution. It was only a verbal agreement, and the arrangement was published by them.

Q. Does that correctly state the agreement ?—A. Excepting about the twelve hours' notice here—that came afterwards. The agreement to give me twelve hours' notice came after this was published. This was published after the meeting that night when they turned down the strike question. That is the meeting following upon the declaration of war. It was two or three days before Bulley and Thompson came to Vancouver.

Q. That is dated the 14th April ?—A. It was after that. The twelve hour arrangement with me was made on Sunday the 15th at Vancouver.

Mr. BODWELL.—This was Saturday the 14th. Bulley said in his evidence in the police court that he took it around.

By Mr. Bodwell :

Q. You made the twelve hour arrangement with him in Vancouver on Sunday ?—A. Yes.

By His Lordship :

Q. You might give us a little more fully what measures you took to carry out the arrangement ?—A. I took each of the captains who were being affected and gave them exhaustive instructions verbally. In the case of the *Charmer* I was in Vancouver frequently during that time myself, and on two or three occasions I instructed the mate himself to be most particular to stop scab freight coming on board. They did not regard freight hauled to the wharf by master teamster or by owners of teams—they did not regard that as scab freight, and did not treat it that way, but it got so there was quite a little of that sort coming, then they pronounced that scab freight, and that must be stopped. That question came up with the mate, and I told him particularly that I did not want any trouble—'Don't take anything of the kind—no matter who forces it on you.'

Q. After the inception of this agreement was there some one of these union men on the wharf watching the freight ?—A. No, I think not.

Q. Who was to determine whether it was scab freight ?—A. They were all members of the crew and they were members of the union.

Q. You took it for granted that unless some objection was made to the freight that it was all right ?—A. I think so. Although I went over and said not to take anything he thought was scab freight for the reason that I did not want to be trapped, I felt that they might take some freight on board purposely and then quit. But after I had this Sunday meeting—this last arrangement with them, I thought that they would not allow that to happen.

Q. You had an arrangement with Bulley and Thompson and Noonan that the crew were to look out for all scab stuff ?—A. Yes, and as a matter of fact the captain stood by himself and referred the freight and baggage coming on board to Mr. Sheff Thompson himself and, I believe, Mr. Estes. I would like to see McCloskey put on the stand to verify that. That was on the trip that caused the trouble.

Mr. BODWELL.—Sheff Thompson, Bulley and C. H. Thompson were all on board that day going down to hold a meeting in Victoria.

By His Lordship :

Q. How did this barrel of oil elude these men ?—A. I really don't know.

Q. You say there were Sheff Thompson, C. H. Thompson, Bulley and Estes on board when this freight was being put on ?—A. Yes. I would not say but what there was something put on before that time. There was no question raised until that particular time, perhaps half an hour before she sailed. Captain McCloskey can give details as to that.

By Mr. Rowe :

Q. What about the statement with regard to threatening the men on the *Princess May* with imprisonment? Were you there at the time?—A. No. I was in Vancouver at the time. I don't know exactly what took place.

Q. How would the company have hoped to do business under the agreement?—A. We did not hope to do business except passenger business. I thought we could keep the mails and passengers going and spar for time.

By His Lordship :

Q. And you were prepared to go to the length of delaying freight for three or four weeks?—A. No, not as long as that.

Q. The men thought you were sparring for time to get a crew so that you could dismiss them?—A. That was not the case. My hope was that the strike would work itself out in Vancouver. At that particular time the Board of Trade were acting as a conciliatory body, and it looked as though it might be brought to a termination, and we would continue doing business in the same way, and would have escaped any difficulty over the matter.

By Mr. Rowe :

Q. Where do you attribute the influence that produced your conflict with the strikers?—A. I attribute it to Mr. Estes—no doubt about it in my mind at all. If those representatives had not been persuaded to stop in Vancouver that Sunday night and Monday, and if this B.C.S.S. on its own advice and without outside pressure or influence had been allowed to go on, they would not have struck, because after they had been practically directed to strike they came here and had a meeting of their own and turned it down, and said 'No, we won't strike.'

Q. You say there was no resolution at any meeting except the one which took place at the one you have just mentioned?—A. Well, they did turn it down, because they were to give me notice before nine o'clock, and they told me they had put the thing to a vote, and voted down the question, even although they had promised to strike at Vancouver. The point I want to make is that as long as the men were left to their own judgment they had no inclination to strike.

By His Lordship :

Q. Where is Estes now?—A. I heard he was still in Vancouver.

By Mr. Bodwell :

Q. Did nothing happen at the longshoremen's meeting on Wednesday night?—A. That must have beeen some days later. I had a meeting with the longshoremen in their hall, but that is another organization entirely.

Q. They are still on strike, are they not?—A. Not exactly. They had not seriously deliberated the question whether they would refuse to work for the C.P.N. Company or not—so they told me in their note—they invited me to come—they told me the steamboat men had no occasion for the strike, and they had decided to work for us when we required them, but inasmuch as they were a union body, all they wanted was that we would not ask them to work with non-union men during the handling of the trouble, and wanted to know if I was willing to enter into an arrangement of that kind, and I said yes, we had a verbal agreement, and I kept my word with them, just as I did with the other people, and we have had no trouble from that day to this.

By Mr. Rowe :

Q. You never violated the agreement?—A. Never knowingly violated the agreement.

By His Lordship :

Q. Why would the steamboatmen go out on strike when the engineers and firemen did not ?—A. That was what I could not understand, and I put it to the men before they struck. I said 'What good can you do, going on strike with a lot of railway men; if they want help, why don't they call on the men beside them. If they have a just cause you can rest assured that the trainmen, telegraphers and firemen and the strong organizations will stand by them, and it will be settled in a short time indeed.' But these organizations won't have anything to do with them. As a matter of fact I don't believe that one-half the men know why they did go out.

Q. It appears that some 40 of them have undertaken to bind the action of the 160; that there were but 40 who resolved to go on strike ?—A. I don't understand why there were not more at the meeting, excepting for this: there were many men who did not want to go on strike; men who were forced into the union. For instance, there were two men who were mates' officers during last summer, but in winter there were not enough boats to go around and they had to seek other work in order to be employed. They did not want to have anything to do with the union, they said we are officers, and could not belong to the union. They said, you are not officers now, you are doing our work. They forced these two men to join their union. They sent in their names and initiated them, I suppose. They did not go to the meeting that night and many others. I don't think the crew of the *Danube* went up—men who did not want to see a strike; consequently it was brought about, as it often is, by men who have least to lose. Good men who are well regarded by their employers don't take part in these things. It is these men who stand a chance of bettering their position by a strike by getting some better men out. It shakes them all down to the same level when they get a strike.

By Mr. Rowe :

Q. Did you send written instructions to any of the captains regarding the handling of this baggage ?—A. I did to one, because it was the only way of reaching him that night. I wrote to McCloskey, captain of the *Louise*.

Q. These instructions were never amended ?—A. No, sir.

WILLIAM McKAY, sworn.

By His Lordship :

Q. What is your occupation, Mr. McKay ?—A. I am a stonecutter by trade. I am caretaker of the post office at the present time.

Q. Are you a member of any union?—A. Two, the Stonecutters' Union, and a member of the Labourers'. I am not an active member. Of course I am not working at the trade. There is a benefit connected with it, and you pay a per capita tax and assessments, and if you keep that up you can return to the union at any time as a member in good standing.

Q. Have you a copy of the constitution ?—A. Yes, this is a copy of the constitution of the Stonecutters' Association of North America, with headquarters in Washington, D.C.

(Exhibit S.)

Q. What power has that organization over local unions in the matter of strikes ?—A. No power. If there is going to be any trouble, the union of course, has to refer the matter to the head office, and in some cases to the whole general union of America by referendum.

Q. That is, the local union has to get the consent of headquarters ?—A. Yes. That is to say in some cases, if they were violating any strike by-law or anything in the constitution.

Q. Have the headquarters power to order a local union out on strike for such a violation ?—A. If they did not uphold the by-laws and constitution there would be some action taken.

Q. You are an officer of some labour body here ?—A. Well, yes. I am a trustee of the Labourers' Union, and vice-president of the Trades and Labour Council.

Q. Have you ever been concerned in any strikes ?—A. Yes, one in Victoria.

Q. A stonecutters' strike ?—A. Yes.

Q. How was that settled ?—A. By conciliation.

Q. How long were they out ?—A. One week.

Q. What was that—a wage difficulty ?—A. Not in regard to increase or decrease. It concerned a man who had injured a stone he was working on and a difference arose with the contractor who thought he should pay a certain amount of damage. This man was dismissed. The foreman sent him to the office for his pay. At the time the man went to the office he was informed that the foreman had been told not to give him his pay. The contractor thought that a certain amount should be deducted out of his pay for the damage done to the stone. He appealed to the union, and he was told to make this request and if not paid within 24 hours they would leave the work. The contractor paid no attention to it. A day was appointed, giving notice, and when the time came the men refused to work. Then the committee had several meetings and they tried to interview the contractor and he ordered them off the ground. He would not speak to them or give any promise. At that time there was a conciliation law in the province of British Columbia. The late A. B. Gray was commissioner, and we applied to have the Conciliation Act enforced. According to that we appointed our man and requested them to appoint their men. He appointed a third, and they took evidence, and it was decided in favour of the men, on account of a case never having been known where a man had been known to pay for the damage done to the stone.

Q. And the decision of the board was accepted by the contractor ?—A. There was no decision—merely evidence, and the evidence pointed out where this contractor was trying to force something that had never occurred in stone-cutting before.

Q. The contractor gave in ?—A. Yes, he gave in, and the men went to work.

Q. Have you anything to suggest about the settlement of strikes ?—A. Well, no. There is talk of that matter in our discussions. I happen to be upon the legislative committee of the Trades and Labour Council, and the Provincial Secretary of the province here has brought in a Bill for conciliation and arbitration for the prevention of strikes and lockouts by arbitration. We had considerable discussion over that and it was looked at in this way: That while a law with regard to strikes and lockouts may be desirable, we think it is rather strange that the law should step in and say that a man's work should be arbitrated upon, while others throughout the country can manufacture and sell without any person to come in and saying anything about it at all.

Q. Then you are opposed to the principle of compulsory arbitration ?—A. Yes, for a compulsory decision.

Q. You think the parties should fight it out if they cannot settle by conciliation ?—A. I think something might be effected without going that far.

By Mr. Rowe:

Q. Still it would be better to settle by compulsory arbitration than by lengthy and disastrous strikes ?—A. It might be. There is nothing pointed out where it would be fair to the men. The public might receive some benefit.

By His Lordship :

Q. That would be the chief justification for interfering—that the public were interested ?—A. In cases where the public was not, what about it then ? No justification in that event. We have a large number of cases where there are 10, 15, 25 men affected, and where it is practically immaterial to the public.

WILLIAM McKAY—Victoria, May 14.

By Mr. Rowe :

Q. It might be, for instance, that there are 30 people in the telephone service employed in this city, and it would be a serious matter if that business were tied up ?—A. Suppose a man was building a house, and those men came out on strike. It would not make any difference if he came out this summer or not. To my mind, it should be only specified for certain industries.

Q. Do you think if there was a compulsory arbitration law that it would facilitate the settlement of disputes by conciliation—that people would rather settle that way than go to court ?—A. It is a question whether they would or not. That matter was discussed very fully by some able men in Winnipeg in 1898. I happened to be a delegate from the Trades and Labour Council, and they had in their platform a plank as to compulsory arbitration. What they thought was that there should be some means whereby the parties could be compelled to come together, and they thought after the evidence went to a judge that the feeling would be strong enough—that public opinion would cause the employer or the men to give in.

By His Lordship :

Q. What do you say about outside agitators ?—A. I don't know what a man calls an agitator. It is hard to know what is meant exactly. People have called me an agitator. I deny the charge. I am an educator.

By Mr. Rowe :

Q. You would sooner have the term of educator ?—A. Yes.

Q. Probably you think it is not possible to educate until you have agitated ?—A. I don't know. I don't believe in shaking things up, but I believe in using proper judgment. There is one matter I would like to mention that has not seemed quite clear before the court. With regard to the status of international unions, that is the executive or head of the American Federation of Labour, and of the Trades and Labour Congress and local unions, I don't think this is very clear, and I would like to go over it briefly. It seems to be the impression that the Trades and Labour Congress is looked upon as a national organization. It is in one sense, but their duties are only in regard to legislation, while an international organization is a union. The Trades and Labour Congress does not make any laws like a constitution of the others governing any particular union.

Q. I think the Commission understand that, Mr. McKay. Would you consider the Trades and Labour Congress of Canada the Canadian equivalent for the American Federation of Labour ?—A. Just so.

Q. There are many trades nationalized in Canada?—A. I don't know of any except the letter carriers.

Q. What would you say as to Canadian workmen confining themselves to Canadian organizations ?—A. It might work out provided we had some interchange of cards. In the absence of that I prefer to have the international connection.

Q. If they had Canadian organizations they could settle their strikes without interference?—A. That is true, but there is always a certain amount of assistance to be had from these head organizations which would not be available in the case of a small number of men. Whether the men would be able to carry on without this is something to be considered. I would consider it impossible to carry out nationalism in all trades and callings. Take for instance in the stone-cutting trade. There are several hundred in Canada. If Montreal, where there are some 200, chose to have their men come out on strike the fund would not be sufficient to support them by the number of men that would be in the Dominion of Canada, where they would have the support of the unions in the United States.

By His Lordship :

Q. That is the chief advantage, in the numbers ?—A. Yes, it means that the expense is proportionately reduced.

By Mr. Rowe :

Q. Have the larger organizations a less or greater number of strikes ?—A. Less. I find in my experience that where there is a small number employed—I have felt that the employer would impose on them more than if they were larger—I might not say impose probably——

By His Lordship :

Q. That he would deal more carefully with a large than a small body ?—A. Yes.

By Mr. Rowe .

Q. A union associated with a large federation has to get the consent of the executive to strike ?—A. Yes, in some cases. As I said before, if the constitution or by-laws are violated. If we were asked to accept a reduction in wages that matter has to be put before them.

(Witness puts in copy of Constitution of Victoria Branch of Stonecutters' Union —Exhibit T.)

Mr. BOLDEN.—Might I ask the witness a question or two?

His LORDSHIP.—Yes, there is no objection to that.

By Mr. Bolden .

Q. You are vice-president of the Trades and Labour Council?—A. Yes.

Q. You are acquainted with the views of the executive committee in regard to strikes and lockouts ?—A. Well, when the matter of any trouble with a union is brought before the members of the Labour Council, I think the case is referred to the executive to act as a conciliatory board between the union and their employer.

Q. And in the past, I believe, they have stopped a great many disputes, and have prevented many strikes ?—A. Yes.

Q. Do you know any similar organization in this city that has done the same class of work ?—A. No.

Q. None among the employers ?—A. No.

By His Lordship :

Q. I understand that the executive of the Trades and Labour Council has frequently acted as a conciliatory body between employers and employees ?—A. Yes. When the case has been stated by the men they have made negotiations with the employers.

Q. Have they generally been received ?—A. I don't know of any case where they have not. I could not say of any where they have not been received.

By Mr. Bolden:

Q. That you think that the trade unions of the city of Victoria as a body, represented by the Trades and Labour Council, has done more to settle disputes than any other body in this city ?—A. Yes, as far as I know. They settled the Longshoremen's strike.

Q. That seems to point to the fact that workingmen as a rule are opposed to strikes, and only take up a strike when necessity warrants it?—A. Of course I cannot say in regard to that. I have never met what is termed union men—the ordinary majority of whom but are opposed to strikes, and they are quite willing to act in a conciliatory manner.

Q. You heard the evidence of Mr. Seabrooke? Mr. Seabrooke said the men had nothing else to do at the meetings but consider matters of strikes, and troubles, as a rule, arose between the employer and his men simply because the men had nothing else to think about. Is that a fact—have nothing to do but think of strikes?—A. No, I never had any experience of that kind.

Q. It is a fact that when men unite in a trades union that the first thing they do is to consider strikes?—A. No.

Q. Then you think the article read by Mr. Bodwell is not the fact?—A. I have not heard that.

His Lordship.—I don't think Mr. Bodwell gave that as the opinion of any labour man.

By Mr. Bolden:

Q. The reason I asked this question of this gentleman is that he has had experience. Probably the writer of that article has none.—A. I pay very little attention to what a man may write. He has a right to his opinion as well as I have to mine. If people came before this court and gave evidence to that effect I would feel it my duty to contradict it.

By Mr. Rowe:

Q. What is your idea of the purpose and aim of trade unions?—A. My experience is that they educate them as a society and help them in their living—to improve their conditions in every respect.

Q. Do you think they have had a tendency to improve the morals of the men and their economic condition?—A. I do.

Ladysmith, May 18, 1903.

James Dunsmuir, sworn.

By Mr. Bodwell:

Q. Mr. Dunsmuir, how many years have you been connected with coal mining on Vancouver Island?—A. About thirty years.

Q. Since when did you assume the active management of the collieries at Wellington?—A. About 1872.

Q. The Wellington collieries were closed down in what year, Mr. Dunsmuir?—A. I really forget now—some four years ago, I think.

Q. At that time you began to open up the Extension mines?—A. We commenced before the Wellington closed down.

Q. The Wellington closed down after Extension was ready to operate?—A. Yes.

Q. During the period with which you have been connected with the active management of the Wellington mines, what has been the course adopted in dealing with the men, and what way do you——?—A. I did not have the active management in the collieries for thirty years. Mr. Bryden had the management, though I have been connected with the collieries all my life.

Q. Mr. Bryden was the manager for a number of years?—A. Yes, until he went in 1881.

Q. When he ceased to be manager, did you take charge then?—A. No, I did not take charge.

Q. Mr. Little, did he?—A. No, Mr. Sharp, and then Mr. Andrew Bryden.

Q. What was the manner of dealing with the men when any difficulty, if any, arose between them and the management—what was the system adopted ?—A. We would have a committee of our own men.

Q. Appointed how, generally ?—A. By a meeting of the whole of the men.

Q. There were some dimculties at Wellington some ten years ago ?—A. Yes.

Q. That difficulty lasted for how long, Mr. Dunsmuir ?—A. About five months.

Q. Was it found necessary by the men to form a union in consequence of that trouble ?—A. That was the trouble. They wanted us to recognize a union. That was in '90. To have a pit committee and 8 hours from bank to bank. Those were their grievances there.

Q. You did not think it wise to have a union formed, and did not give way on that point ?—A. No.

Q. The men finally agreed to go back to work—that was the upshot of that ?—A. Yes.

Q. The difficulty lasted about five months ?—A. Yes.

Q. From that time until the mines closed was there any difficulty ?—A. No. We never had any union at Wellington.

Q. I suppose at times there were negotiations between you and the men as to matters which arose between 1890 and the time Extension was opened ?—A. Not in Wellington—never had any trouble there.

Q. When you started at Extension was there any union there ?—A. There was a so-called union, but we never recognized it. There was one at Alexandria.

Q. What kind of a union was that—was it allied with any foreign body, or just among the men themselves ?—A. Just among themselves.

Q. And the management took no official notice of the union ?—A. No.

Q. No dealings were carried on with the men as a union ?—A. No. It was supposed to be a committee of my own men.

Q. Have you at any time ever refused to treat with a committee of your men when they came as such to you ?—A. Yes, I did. They have come for a lot of trifling things that the manager can settle. I told them I did not want to see them any more —that they could treat with the manager.

Q. When was that, Mr. Dunsmuir ?—A. That was before the Alexandria closed—over a year ago.

Q. It was a committee from the Alexandria miners ?—A. Yes.

Q. The reason for that was the matters were not important enough ?—A. Yes, they should have been settled by the manager.

Q. And would you refuse to meet them now ?—A. No, that is a committee from my own men.

Q. The objection you have is to meeting a committee representing some foreign body or union ?—A. Yes. I don't say re:gn ; I say any union. I can get along with my own men without having any union.

By His Lordship :.

Q. You object to the men coming before you as union men ?—A. Yes.

By Mr. Bodwell .

Q. You did not object to their having their union which they did have at Alexandia ?—A. Understand it was not a union. That was my understanding with them. I told them in the first place that they were not to call it a union. It was a committee from my own men, which I recognized as such, but not as a union. I think they called it a union, but I never took any notice of it as a union.

By His Lordship :

Q. Then I understand that you have never recognized any committee as coming from a union ?—A. No.

By Mr Bodwell :

Q. There was a committee waited on you a short time ago since this strike began ?—A. Yes, two.

Q. Tell us about them—what stand you took in the matter ?—A. The first committee that came down, there were three, Mottishaw, Jeffries and Jones.

Q. About when was that Mr. Dunsmuir ?—A. Sometime in April.

Q. You said there were three of them came ?—A. Yes, Jeffries, Mottishaw and Jones. Jones was a coloured man. They sent in their card and said they wanted to see me. I sent out to ask if they represented the Western Federation of Miners, and they said they did, and I sent word back that I could not see them. That was the end of that committee. The next committee——

Q. When was that next committee, a week or two weeks after ?—A. It might have been two or three weeks. The next committee that came down was Jeffries, Mottishaw, Malone and Robertson.

Q. What happened then ?—A. They sent in their card and said they represented the Extension mine as a committee. I told them to come in, and when they came in I told them I would give them an interview anyway, if it was a committee representing the Extension miners. I asked them if they belonged to the Western Federation and they said they did, and I told them I would have nothing to do with the Western Federation in any shape or form. I told them that I would hear a committee of my own men if they would withdraw from the Federation, that I would meet a committee from my own men, or the men in a body, and treat with them.

Q. What did they say to that proposition ?—A. There was a lot of talk then.

By His Lordship :

Q. I think it would be just as well to tell us as much as you can of the conversation ?—A. I asked them where the nigger was. They said he had not come this time. I said I had heard there were objections going around that I would not see the deputation because there was a nigger on it. I told them I did not care whether it was composed of niggers, Chinese, Japanese, Indians or whitemen—I would see them as long as they were my own men. I went on and told them about the union, and about all these agitators who were only sucking the blood out of them, that it was better to follow me than a man like Baker. He was not giving them bread.

Q. What were the reasons, if any, why your decision should not be acquiesced in ? What arguments did they advance in favour of the union ?—A. I do not know that they advanced any. They said that they did not want me to recognize the union, but I need not recognize the union or the Western Federation.

Q. But with the idea that it was to exist among the men ?—A. Yes.

Q. But you were not officially to notice it ?—A. Yes.

Q. Something the same as the Alexandria business ?—A. Something the same. No, the Alexandria was different. I always met a committee of the men from Alexandria until it got so that I could not stand it. They came with the most trifling things that could be settled by the manager. They would come down to Victoria to see me on little trifles that did not amount to anything at all.

Q. Could you give an illustration ?—A. There was one dispute where they said the manager told them to fill the rock, and they would get paid for it.

Q. Fill the rock—I don't quite understand ?—A. Instead of filling coal, they were to fill up with rock or dirt, to fill the car with dirt, so as to get the waste out of the mine. I told them there was always two sides to a story. I met them in Extension, and there was nothing in it at all.

Q. Nothing of importance ?—A. Not to me.

Q. Did you explain to this committee why in particular you objected to the Western Federation of Miners, or do you object to the Western Federation more than you would to any other kind of a union ?—A. I object to all unions, federated or local, or

any other kind. I think I can treat with my own men without the interference of a union.

Q. What is the difficulty which you think would arise if unions were formed among your men?—A. There is always a committee appointed to interfere with the management of the work. It is called a pit committee. They come around and say the men should have this, they should have that. They simply take the management of the mine.

Q. Do you think the men themselves have as much freedom where unions are in existence, as where they are not?—A. No, I do not.

Q. Why?—A. He is dictated to by agitators or heads of the union, the president or secretary, and whatever they say the men have got to do. They talk about being slaves—they are slaves to the union, these three or four heads, or what they call the executive.

Q. Do you know of any real cause for difficulty which the men have now in these mines?—A. No, I do not. The only trouble is because I won't let them belong to the union. They can belong to the union if they like—I don't care. I have my rights. I can hire them if I like, and they can work if they like.

Q. On the other hand, if the men persist in joining the union?—A. I can't stop them.

Q. Then, they do it at the peril of leaving your employment, at any rate?—A. Yes.

Q. And you think these rights ought to be reciprocal?—A. Yes.

Q. And you consider that it is not in the interests of the business that the men should belong to a union?—A. I do.

Q. You have no other motive for refusing to recognize except——?—A. Except that I want the management of my own works, and if I recognize the union, I cannot have that. Then we are dictated to by a committee of the union as to what should be done, and what should not be done.

Q. You think these pit committees interfere with the management of the business?—A. I do.

Q. Could you give any illustration of that—in what way? For instance, suppose there were a pit committee—what would be the interference you would expect—what kind of interference?—A. They come around the mines and put their price on whatever they think the men should get. They put the prices on the different stalls, so much a ton and so much a yard.

Q. Instead of allowing the management to fix the price with the individual miner?—A. Yes, the committee wants to fix these prices.

Q. And the individual miners may be willing to work at the old terms, and would work, but the pit committee would not let them?—A. No, he has to take the price the pit committee dictate.

Q. Your idea is, that the pit committee would fix their prices—not to reduce the good man to what the poor man would earn, but to bring the poor man up to what the good man earns?—A. Yes, exactly; that is what they intend to do. That is what they call the weak man. They would not allow a good man to make a fair wage. That is their idea.

Q. There is a union at the New Vancouver Co. collieries. Do you know anything about the way business is managed there?—A. I do not know, but I know they have had a lot of trouble in Nanaimo. The union there has caused a lot of trouble.

Q. Now, for the benefit of the Commissioners, you might explain something of the way in which the work is carried on. The work in a coal mine is divided into stalls?—A. Yes, stalls, levels and places. There is a level, and the stalls run off the level, and these are called places, and some stalls.

Q. When a coal miner has a place assigned to him by the management, there is a price fixed for the coal in that place?—A. No, there is a standard price for the coal; then, if the place is deficient, they are allowed for that.

Q. The pit committee would go around and inspect that place and the prices and want to change things? If a man were making good wages, they would want to bring the poor man up to the level of the good man?—A. Yes, to reduce the good man to the poor worker. There would be a great deal of discontent about it, trouble all the time.

Q. And a man would not be free who would have to observe the union rules?—A. Yes.

Q. I am going to ask the Commissioners, after a while, to receive a detailed statement, but just in a general way—is there any reason to say that the men working in this Extension mine have any cause for grievance in regard to their wages?—A. No.

Mr. SENKLER.—I do not think there is any question of wages raised. There is no suggestion as to wages in the statement.

Mr. BODWELL.—For the general information of the Commissioners, I intended to put in a statement of the average wages made.

HIS LORDSHIP.—I think the question of wages is relevant in considering their reasons for forming a union. They could say they were not satisfied with their wages. That was suggested at the first meeting.

Mr. SENKLER.—That is possibly so, but in this statement there is no suggestion as to wages being the reason of the recent troubles. I should think that a statement as to what the wages are in general would have nothing to do with it.

HIS LORDSHIP.—We have got to report to the government, and want all the facts. I would like to know how the wages here compare with other mines in the immediate vicinity.

Mr. ROWE.—It should be taken into account that the original meeting was alleged to have been called to consider an increase of wages, and presumably the union proceeded from a desire to have an increase of wages.

HIS LORDSHIP.—The wage question is a large feature.

Mr. BODWELL.—All I want Mr. Dunsmuir to say was whether there had been any complaint as to wages up to this time, and he said no.

WITNESS.—That is as far as I know.

By Mr. Bodwell:

Q. When you opened up Extension mine you first began at what is called No. 1?—A. Yes.

Q. And then you moved to the tunnel from No. 1?—A. No, we commenced at No. 1—the first place opened up; then No. 2 and No. 3. No. 1 is a slope, then there is No. 2 slope and then No. 3 slope. We call the tunnel the tunnel.

Q. The tunnel is at Extension?—A. Yes, they are all at Extension.

Q. Yes, but where the Commissioners went up to see—that is the tunnel?—A. Yes, the tunnel.

Q. We had some evidence given us with reference to moving the men from Extension to Ladysmith. I would like to have you say, in the first place, what allusions you made as to where the town was to be?—A. I told them the town was to be at Ladysmith. I told a lot of the men myself, and told the management to tell the men. That was right at the beginning.

By His Lordship:

Q. That would be five years ago?—A. I have the dates.

By Mr. Bodwell:

Q. All right, let us have the dates.—A. (Reads from memorandum, Exhibit 8.)

MEMORANDUM.

Started to work No. 1 slope, November, 1895.
Started to work No. 2 slope, January, 1898.
Started to work at Main Tunnel, January, 1898.
Started to build wharfs at Ladysmith, September, 1898.
Purchased land for town site at Ladysmith, April, 1896, cost of $6,340.
Started to ship coal from Extension, September, 1899, about 200 men working.

Mr. BODWELL.—Here you have a statement of the monthly pay-rolls from April, 1902, to February, 1903 :

(Exhibit 9.)

WELLINGTON MINE.

Total of Pay Sheets.

1902.

April	$73,549 85
May	76,710 44
June	65,116 52
July	65,440 24
August	71,723 21
September	64,172 50
October	69,695 45
November	68,287 78
December	65,622 48

1903.

January	71,527 32
February	65,000 63

HIS LORDSHIP.—Could you give us the average daily wage for that time ?

Mr. BODWELL.—I am going to give you that.

By Mr. Bodwell:

Q. There was a committee of the men came to interview you on one occasion as to whether the town site was to be at Extension ? Have you any way of fixing the date when that committee came to you?—A. I forget, probably two years ago.

Q. Who was on that committee?—A. I don't remember.

Q. It was said to be composed of George Johnston, McCloskey and Spence?—A. I remember Johnston.

Q. They say they went down to meet you, had a conversation with you, and that you said you did not care where the men lived, giving the inference that they would be hired just the same, whether they lived at Extension or Ladysmith?—A. I told them they could live where they liked, but I would hire them where I liked. Of course that was some years ago, and I cannot go into details.

Q. What was the substance of the conversation?—A. That is two years ago, I forget what was said.

Q. You can tell us what it was in substance?—A. No, I could not.

Q. You told them they could live where they liked ?—A. Yes, but that the town site was to be at Ladysmith.

Q. Then they said they wanted to stay at Extension?—A. I don't remember.

Q. What did you say about their living at Extension?—A. Well, I don't know. It was understood, and they knew it perfectly well, that Ladysmith was to be the town site. I made the remark that they could live where they liked, but I could hire them if I liked—the same as I have always said about unions.

Q. That you don't feel bound to employ men who lived at Extension?—A. That was the meaning of it.

By His Lordship :

Q. How do you account for the men coming back and reporting to these other men to the contrary ?—A. The same as they have reported lots of things that I have said. They said I would recognize the union; I said the reverse.

Q. Either they must be very deficient in understanding, or you cannot convey your ideas in a way that they may be understood ?—A. Probably I cannot convey my ideas.

By Mr. Bodwell :

Q. At any rate, you did not give them to understand that?—A. They all knew they were to live at Ladysmith. They all knew. This was all of two years ago.

Q. Tell me the reason why, from your standpoint, as well as the standpoint of the men?—A. My standpoint was: In the first place, we were too near to Nanaimo; that was the reason of a lot of trouble between our workmen. In the next place, it was no fit place in which to live. I thought it would be far better for them to live down here. If there were no work, they could go boating, step on the train and go to Nanaimo or Victoria. It would be on the main line. Another thing, there was no water at Extension.

Q. Explain that fully ?—A. There is a lake, and in the summer time it is filled with a sediment and people cannot drink it. In the next place, all the works will be coming towards Ladysmith, as the field extends this way. I was commencing just before the strike, to sink a shaft about two and a half miles from Extension this way towards Ladysmith, and another shaft I was boring four miles from Ladysmith.

Q. Was the other place two miles from Ladysmith ?—A. No, two miles from Extension coming this way.

Q. How long do you expect it to be before you will move away from Extension, in the same way as you moved away from No. 1 and No. 2 slopes ?—A. Probably ten years yet from Extension mine. We had the experience of that at Wellington. In my father's time he would not sell any lots, knowing that some day the whole thing would be worked out. At the time of the strike we had ten years ago, the papers took that up. The 'Free Press' in Nanaimo said we would not sell town lots, that we wanted to keep the town lots, and it made me angry. I had a survey made and sold so many lots to the miners. Now, as soon as the mines work out they lose everything. That was another thing I explained to them.

Q. To the committee ?—A. No, to the men. That if the men came down here, they would always get value here, but at Extension they would have the same experience they had at Wellington.

Q. The largest life that Extension can hope for is ten years ?—A. Probably that.

Q. The works will be coming towards Ladysmith ?—A. Yes, right away. We would have taken the men down to these new shafts we are giving up, and it was far better to take them from here than Extension. Extension was not a fit place for a town. Mr. Bramley said I offered him $5,000, that I wanted to place the townsite up there. I had no intention of that whatever. I offered him $2,000, through his son-in-law, Hodson, and Hodson told me that Mr. Bramley saw Robins in Nanaimo and he advised him to ask for $10,000. I would not give it to him, and if I had got the property for $2,000 I would not have built there at all. I wanted to get the property so as to keep the men from being around the mines, close to the pit.

Q. Mr. Bradley said he had some conversation with you in reference to a road. Now, explain that fully.—A. Where the railroad ran, it cut off a road coming down to his place, so I told Bramley I would build a road for him, which I did.

Q. Did you tell him where you would build the road?—A. We built it adjoining the other road, where it branched from where we had destroyed it by the railroad. We

made it to connect down to his part. He was quite satisfied at the time. Then he wanted to make a road and a bridge to the property he owned. It was after we agreed on $10 an acre for the land. I met Mr. Bramley, and I asked him what he wanted, and he said: 'Is $10 an acre too much?' I said I was satisfied. This was verbal, and he has not taken the money yet. I have offered the money to him, and he would not take it. I never offered to build the road across the track. I built the road away around by the lake. Mr. Bramley was not satisfied with the road. He wanted one across, but I would not do it; it would interfere with the cars. I was looking after the Government, too. It would cost $10,000 to build that bridge across. It would not pay—a bridge 30 or 40 feet high across the ravine. A deputation came down and saw the government about building it. I told them no, they could not spend that amount of money, that there never would be any town there.

Q. Mr. Bramley told us that at one time he came to you with a proposition which involved the creation of a town site at Extension, that he would give you a certain amount, and you would divide it into lots?—A. There was some proposition, but I would have nothing to do with it, because I did not want the town site there. That might have been three years ago, probably.

Q. Now, Ladysmith has some advantages as a place of residence? It has waterworks?—A. Yes, we are putting in waterworks.

Q. Have you any objection to telling the Commissioners, in round numbers, what has been the cost of establishing the town?—A. I could not do that without going into the books.

Q. Could you give us an idea?—A. I have spent about $40,000 on the waterworks, and then there is the clearing of the land. I had to buy this. A Mr. Kemp had it first. He bought it from the E. & N. Company, and I bought it from him.

Q. How many acres did you buy, Mr. Dunsmuir?—A. About two blocks—320 acres. It belonged to the E. & N., and a man named Kemp. We bought it from him.

By Mr. Rowe:

Q. How much did you say was in it?—A. About 320 acres, I think. Kemp had 160, and another man, named Nicholson, I think, had 160—320 altogether.

By Mr. Bodwell:

Q. These men who had built houses at Extension and wanted to go to Ladysmith, what did the company do for them?—A. Brought their houses down—brought the lumber down. They hauled it up to their lot and built it.

Q. You sell lots on easy terms?—A. Yes.

Q. What are they worth?—A. $100 for a lot.

Q. How do they pay for it?—A. So much a month. I forget the terms. Easy terms. Can have easier, if they wanted it.

Q. In your judgment, it was in the interests of the men to live in Ladysmith?—A. Of all the men and everybody, and a great many of the men told me afterwards that they were satisfied that they had come down to Ladysmith, and I think every one of them here will say that here now. I do not say every one—there may be some soreheads.

Q. You have had no serious complaint on that score from the men?—A. No. The biggest agitation was from Nanaimo. Of course, it interfered with business there.

Q. Was that the real trouble, in your opinion?—A. They could drive from Extension to Nanaimo in three-quarters of an hour—the merchants in Nanaimo used to take their express carts and trade with the men at Extension.

Q. I see that A. R. Johnston has built a big place at Extension?—A. I told him not to do it. I told him to come down to Ladysmith. I told Hugh Bate. I said: Bate, it is far cheaper to build at Ladysmith, because Ladysmith is going to be the town. I want him to come and say that. I said: If you do build, put up a small building; it will only have to come down. He said he would take the chance. Bailey, one of our firemen, came the same way, and I advised him not to build up there, that Ladysmith

would be the town, but he insisted on doing it. That was Mrs. Bailey, the Temperance Hotel.

Q. This was the Mrs. Bailey who kept the boarding house?—A. Yes.

By Mr. Rowe:

Q. When was that built?—A. It might be probably three years ago. I told him he was only throwing away his money to build at Extension. After he had got the house pretty nearly built, he came to me and wanted an advance of $200, and I gave it to him. He paid it off before he died, poor fellow. He said he did not have enough money to paint it and paper it. I let him have an advance of $200.

Q. You personally told a great many of the men yourself?—A. I told a great many of the men myself not to build there. There has been a strong point made of this case of Mrs. Bailey. It was his fault. He was a fireman, and said there would probably always be a few of them up there, anyway. I said: All right, you will have to stand the brunt of it. He seemed to be quite satisfied. He did not pay anything for the land. I never charged him anything for the lot.

By Mr. Rowe:

Q. How long since Bailey is dead?—A. Over a year. He was one of the firemen in the mine who got killed.

Q. A fireman?—A. Yes, the man who tests gas.

By Mr. Bodwell:

Q. He said there would always, probably, be a few men at Extension, and he would be one of them?—A. Yes, he would be one of them. He had put up his place as a boarding house. His wife kept the boarding house, and he was working in the mine.

Q. I believe she could not make it a success, and went to Nanaimo?—A. That was when most of the men came down here.

Q. Is the rate of living here in Ladysmith, for a man, any greater than it would be at Extension, supposing Extension was growing?—A. I think it should be cheaper here. I do not think it would make any difference.

Q. Boarding would be about the same, and rents the same?—A. I could not say.

Q. Most of the men with families have their buildings?—A. Yes.

Q. What size are the lots you sell?—A. 120 by 160, I think. There are some smaller.

By Mr. Rowe :

Q. Those are the $100 lots?—A. That is what we charge the men—that is, our workmen—$100 a lot. They buy the lumber themselves; we have no mill.

By Mr. Bodwell:

Q. You graded the streets—you made the streets as they are?—A. Yes. We did not put down the sidewalks. We put in the waterworks.

Q. Is there a drainage system?—A. No, they will have to do that when they incorporate the town.

Q. Is there good natural drainage, anyway?—A. Yes.

(Mr. Senkler, on behalf of the men, objects to going on with cross-examination, desiring time to receive further instructions. After some discussion, it is arranged that Mr. Dunsmuir will attend for cross-examination on Wednesday, the 20th, an evening session to be held, if necessary.)

Mr. Bodwell.—I understand, Mr. Dunsmuir, that a committee of the men wish to have an interview with you while you are here.

Mr. Dunsmuir.—If it is representing my own workmen, I will meet them.

His Lordship.—Simply as representing themselves, I understand.

Mr. BODWELL.—I have a statement here in writing. This is what they have said in writing :—

'We, the undersigned miners residing at Ladysmith, are willing to have an interview with Mr. Dunsmuir in connection with the present difficulties between him and the miners.

'It is distinctly understood that we are not representing any union in this interview, but are only representing the miners here, but that, further, it is not to be understood that we, in doing so, are foregoing any rights that we have, or ought to have, in connection with organized labour.

'(Signed) AARON BARNES.
JOSEPH JEFFRIES.
THOMAS DOHERTY.'

Mr. DUNSMUIR.—Well, I won't meet them. I have told the committee that I won't meet them until they withdraw from the Federation, then, and not until then. That is my stand. I will treat them as my own men, but nothing to do with the Federation. I will meet a committee of my own men.

Mr. BODWELL.—It seems a pity that there cannot be a meeting practically without prejudice, an arrangement in some way.

Mr. ROWE.—I understand that is all the men ask, without prejudice.

Mr. BODWELL.—Perhaps we might—let me see—'We, the undersigned miners residing at Ladysmith, are willling to have an interview with Mr. Dunsmuir, in connection with the present difficulties between him and the miners. It is distinctly understood that we are not representing any union in this interview, but are only representing the miners here'—I suppose if it stopped with those words it would be all right.

Mr. DUNSMUIR.—Read that again, please.

Mr. BODWELL.—(Reads same passage as before, ending with the words—'but are only representing the miners here')——

Mr. DUNSMUIR.—Yes, that is all right that far.

Mr. BODWELL.—The men have added, and I do not know why—'but that further, it is not to be understood that we, in so doing, are foregoing any rights that we have, or ought to have, in connection with organized labour.'

Mr. DUNSMUIR.—No, take that out.

HIS LORDSHIP.—I do not see that the clause has any force either way. It adds nothing and subtracts nothing. I don't see that that proviso helps them or hurts them.

Mr. SENKLER.—The reason for putting that in, is that they do not wish it to be said now, or ever said afterwards, that they have not the right to organize. It may be said they would be giving in to Mr. Dunsmuir.

HIS LORDSHIP.—The probabilities are that Mr. Dunsmuir will make a point of that anyway if he receives them.

Mr. DUNSMUIR.—Why should I give in any more than they should ? I won't give in one inch. I will meet them as my men, and not in connection with any federation or organization. Take out that clause, and I will meet them. We are not fixing that up now. I am here to give my evidence as to the cause of the strike.

Mr. BODWELL.—I don't see how anyone could understand that they were waiving anything by appointing a committee to meet Mr. Dunsmuir. If they come to an agreement, all right; if not——

Mr. DUNSMUIR.—It is just the same.

HIS LORDSHIP.—I cannot see how the men are going to prejudice themselves by meeting Mr. Dunsmuir in this way.

Mr. SENKLER.—I don't suppose so, as long as they understand it that way, but where it is put as Mr. Dunsmuir puts it——

His LORDSHIP.—He is meeting them as a committee from these men. When they meet they will probably have a discussion about that.

Mr. SENKLER.—Why need there be any written agreement at all in connection with this matter. I am in a position to state this—that a committee of the men will be very glad to meet Mr. Dunsmuir, and in seeing him they would not represent any organization of any kind, simply the miners here.

Mr. DUNSMUIR.—Put it in writing; leave the balance of that out; then I will meet them.

His LORDSHIP.—The question in dispute will probably be discussed at the interview.

Mr. ROWE.—It seems to me a superfluous statement. No man foregoes his rights by having an interview where a question involving——

Mr. BODWELL.—Mr. Baker has been here and insisted that Mr. Dunsmuir should recognize the union. This is a public meeting—the reporters are here—it may go out to the world that he had undertaken to recognize the organization.

Mr. DUNSMUIR.—I am not here to settle this in the court here. I can do that outside. What I mean to say is, I am going to have the right to carry on my business without the interference of anybody. If the men like to meet me as a committee of my own men I will see them, but not, as I have always said, from the union or federation. That is what I have always said and that is my standpoint.

His LORDSHIP.—Suppose we put it this way: 'It is agreed that Mr. Dunsmuir will meet a committee of the miners, representing the miners of Extension, and not any union.'

Mr. DUNSMUIR.—What I told the men was that I would not recognize a meeting until they withdrew from the Federation. They cannot force me to recognize that Federation any more than I can force them to go to work.

His LORDSHIP.—The first point is to get the meeting.

Mr. DUNSMUIR.—Your Honour, I came here to give my evidence as to the cause of the strike—not in any way to try and settle this dispute.

His LORDSHIP.—I think you must agree, Mr. Dunsmuir, that in the public interest something ought to be done to try and settle.

Mr. DUNSMUIR.—Well, I don't give way.

His LORDSHIP.—If there is any one giving way it is the men. They agree to see you in their individual capacity. The point is to have the meeting.

Mr. DUNSMUIR.—I will meet a committee of my own workmen, not in any way connected with the union.

His LORDSHIP.—As I understand it, they don't wish to see you as representing the union.

Mr. DUNSMUIR.—And let the committee be picked out of this room; I don't want the executive. They can have one or two of them. Who have signed that request?

Mr. SENKLER.—We have the names of Barnes, Jeffries and Doherty.

Mr. DUNSMUIR.—They belong to the executive, and that would be recognizing the union.

Mr. SENKLER.—I am instructed that Mr. Barnes and Mr. Jeffries do not belong to the executive.

Mr. DUNSMUIR.—Well, if you don't belong to the executive I will meet you. I won't have anything to do with the executive.

His LORDSHIP.—I think we should be able to get a committee outside of the executive.

JAMES DUNSMUIR—Ladysmith, May 18.

Mr. DUNSMUIR.—Get the committee outside of the executive.

Mr. BARNES.—We will make a selection.

Mr. BODWELL.—How will this do for the request:

'It is understood that the committee will meet Mr. Dunsmuir as representatives of the individual miners and not as the executive or otherwise as officials of the union.'

Agreed to.

Sittings adjourned and conference held.

HENRY CARROLL, sworn.

By Mr. Bodwell:

Q. Your full name, Mr. Carroll?—A. Henry Carroll.

Q. Where do you live?—A. Ladysmith.

Q. How long have you been living at Ladysmith?—A. About a year and a half.

Q. You are a coal miner?—A. Yes.

Q. Where did you live before coming to Ladysmith?—A. Nanaimo.

Q. You worked in the New Vancouver Co.?—A. Yes.

Q. How long had you been there?—A. I think about eleven years, ten or eleven.

Q. Where did you come from before that?—A. Washington State.

Q. Did you work in the coal mines in that state—in Rossland?—A. Yes, sir.

Q. How long were you at Rossland?—A. I was not very long there. I worked one winter, and was back there again. I do not know how long I worked.

Q. Is there any union at Rossland?—A. I don't know whether there is any there now or not. I believe the Knights of Labour were in existence at the time I was there.

Q. The Western Federation of Miners were not operating there?—A. No.

Q. You came to Ladysmith about a year and a half ago?—A. Yes.

Q. You have always been living at Ladysmith since you have been working here?—A. Yes.

By His Lordship:

Q. Were you a union man at Nanaimo?—A. Yes.

Q. What union did you belong to?—A. The Nanaimo Miners and Mine Labourers' Protective Association.

By Mr. Bodwell:

Q. You were here when the agitation for a union at Ladysmith began, were you?—A. I was here when this last agitation began.

Q. Yes, that is what I mean. Did you go to any meetings held?—A. Yes, one.

Q. What was the first meeting you attended?—A. The first meeting that I attended was the meeting when word was sent to Mr. Baker to come and organize.

Q. That was the meeting at which they passed a resolution asking Mr. Baker to come and organize?—A. Yes.

By His Lordship:

Q. What date was that—the 8th.

Mr. BODWELL.—If I had the minutes I could tell. (Minutes produced by secretary—Exhibit 4.) That would be March 8.

A. I don't know the date, it was on a Sunday.

Q. I see that at a mass meeting held on March 8, a motion was put and carried—'that the secretary notify Mr. Baker, the organizer of the Western Federation of Miners as quickly as possible, to establish a branch of that organization,'—that is the meeting?—A. Yes.

Q. What notice did you have of that meeting being called ?—A. I had no notice, except the notice that was posted up on the post office stating that a meeting would be —I think it was on the post office. I am not sure.

By His Lordship :

Q. Posted up in the post office ?—A. I think so.

By Mr. Bodwell :

Q. At the first meeting there was a motion to demand an increase of wages, and that motion was changed into a motion to organize, was it not ?—A. That is the meeting when they decided to send for Mr. Baker.

Q. Well, we have the minutes of that meeting here, and I suppose the minutes will give everything as far as that is concerned. What was the next meeting you attended ? —A. The next meeting I attended was an open meeting when Mr. Baker arrived on Sunday.

Q. Mr. Baker made a speech at that meeting ?—A. Yes.

Q. Can you tell us, in substance, what he said. What he said about organization, what would happen if the men were not organized, and so on ?—A. No, I do not know that I can. He said he came here on the invitation of the men, and led me to understand that he had full power from the executive of the Western Federation to deal in the situation.

Q. That so far as organization was concerned, that he came with full power to open a local lodge here ?—A. That was my impression.

Q. Did he say anything as to the advisability of the men joining an organization of that kind ?—A. That I don't remember.

Q. Did he say it at any of the meetings ?—A. No, I don't think I ever heard Mr. Baker use such language as that.

Q. Did he say anything to that effect or of that nature at any time ?—A. I cannot tax my memory with any such expressions coming from him.

Q. You had an idea, at any rate personally, that if the men did not join they would be blacklisted ?—A. That impression prevails everywhere. I got that from what Mr. Baker said, and from the situation of the Federation.

Q. What did Mr. Baker say along that line ? I want to know anything that Mr. Baker said that would carry out that idea ?—A. I cannot remember anything he did say.

Q. Did you go to any of the other meetings ?—A. I have been to meetings, yes. Have been to all of the meetings, with the exception of probably two or three.

Q. Were you at a meeting when a motion was made, or suggestion made, that you should ask the union men to come out in sympathy with this strike here, the men at Cumberland ?—A. I was.

Q. Was Mr. Baker at that meeting ?—A. Yes.

By His Lordship :

Q. When was that meeting ?—A. I could not fix the date.

Q. Was it a week or a month after the first meeting—when ?—A. It was more than two weeks after.

Q. About the last of April ?—A. I would not be sure.

His Lordship.—Where are the minutes of that meeting ?

By Mr. Bodwell :

Q. That was a secret meeting, was it not ?—A. Yes. Why should you ask me about it if it was secret.

His Lordship.—This Commission is here for the express purpose of unearthing all the facts in connection with this strike. There is nothing secret from the Commission.

By Mr. Bodwell :

Q. I do not propose to be bound by the fact that any meetings were secret or otherwise. I am asking this question, and shall insist on the Commissioners getting the answers, if necessary. What was the suggestion with reference to calling out the Comox men in sympathy with the strike here ?—A. As you seem to already know, a motion was passed that the men should ask them to come out in sympathy. Mr. Baker was at the meeting.

Q. That was held about the end of April or the first of May ?

His Lordship.—Let me understand this——

Mr. Bodwell.—A motion was made that the union at Union mines, at Comox, should be asked to come out in sympathy with the strike here.

By Mr. Rowe :

Q. Had they been organized at this time ?—A. I don't know; I rather think they were.

By His Lordship :

Q. A motion was made—who made the motion ?—A. I don't know.

By Mr. Bodwell :

Q. I asked if Mr. Baker was at the meeting, and he said yes. You knew that according to the constitution the men at Union could not come out unless their strike was approved of by the executive at Denver ?—A. According to the constitution, yes.

Q. Did Mr. Baker make any statement with reference to that matter? Did he say that he had power to represent the executive, or that if you passed the motion he would see that it was all right as far as the executive was concerned ?—A. I believe he did; he did not say he had power to represent the executive in so many words. He said, to the best of my understanding, that if that motion was made he was sure it would be endorsed by the executive. That is the sense, as I understood it.

Q. Didn't he tell you that the executive had sent him here with full power to act—the president of the executive at Denver ?—A. He said so publicly several times.

Q. He understood, if you would pass the motion, that the executive would approve ?—A. That was the impression.

Q. Where was the objection among the men for passing a vote to strike at Union ?—A. There was a little opposition to it.

Q. What was the objection ?—A. Not from a constitutional standpoint at all. The main objection raised to calling those men out was the fact that we had nothing to help them with, if they did come out.

Q. Baker said he would undertake that the executive at Denver would see to that ?—A. Baker said, when the constitutional point was raised, that if the motion carried, that it would be endorsed by the executive, or words to that effect.

Q. At any of these meetings did Mr. Baker give you to understand that if you struck here the executive would give you financial assistance ?—A. No, I do not know that he did. I could not tax him with it.

Q. That subject was discussed, was it not ?—A. Yes.

Q. What did Mr. Baker say when the matter came up for discussion ?—A. The question has been asked point-blank to Mr. Baker, and he has never answered it. Never heard anything in a public meeting.

Q. Has the local lodge here ever been able to get a statement from the executive at Denver, as to whether they would aid them, and to what extent ?—A. Not to my knowledge.

Q. Is it likely that anything would have gone on without your knowing of it ?—A. Not likely to.

Q. The situation to-day is that you are out on strike at the request of the Federation, in order that the Federation might be recognized, and yet you have no definite assurance or assistance from the Federation ?—A. That is the situation to-day.

HENRY CARROLL—Ladysmith, May 13.

Q. And it is not because you have not made efforts to get that assurance?—A. No.

Q. Now, you say you are a union man, Mr. Carroll. As to the question of the scab list, how do you suggest that you got that impression—that men who did not join that union when it was first formed would be blacklisted?—A. I got that from actual experience, not here alone. It is the experience all over the country. If a union is organized and a man does not come in, he is looked on as an unfair man.

Q. Of course, you are a member of the union?—A. I am a member of the Western Federation of Miners.

Q. Now, suppose you were willing to deal with Mr. Dunsmuir and to go back to work—you were willing to settle, and the rest were not ?—A. You are not defining my position. My position is, if this Western Federation sticks to us, and are willing to stay with us, I am willing to stay with them.

Q. I don't mean you as an individual, but as representing all the crafts. Suppose a certain number of the union are dissatisfied with this arrangement, and wish to go back to work. The union has not decided to go back yet ?—A. Not to my knowledge.

Q. Suppose you want to go back to work, and the union don't declare the strike off, would you not be on the scab list?—A. I should think so.

Q. So, although you cannot be sure that you are supported by the Federation, nevertheless, if you go back you will be a scab ?—A. Yes.

By His Lordship :

Q. Would you be dropped out of the Federation ?—A. Well, if you went back to work here now without a majority vote, you would be discharged from the Federation.

Q. He would be expelled ?—A. He would be pretty near expelling himself.

By Mr. Bodwell :

Q. Now, has not Mr. Baker used that argument, that if any of you go back you will be blacklisted all over America ?—A. No, I have not heard him use any such arguments.

By His Lordship :

Q. Perhaps you do not think it necessary. It was well understood among the men that that is what would happen ?—A. Yes, that is well understood. Not alone with this organization, but with any other.

By Mr. Rowe :

Q. Is it common to any union ?—A. Yes.

By Mr. Bodwell:

Q. But the posting of names, the blacklisting of names is not common ?—A. Not with this organization.

Q. That is the point I make—the fact that he threatens to publish the names. Have you seen that number (exhibiting Exhibit U) of the 'Miners' Magazine.'. Did you see this scab list ?—A. I did, I think it is at page 52.

Q. This is from a union at Hayden Hill, Cal.—Hayden Hill Miners' Union, No. 180, at page 52—this is the way it is done. (Quotes from Exhibit U.) :—

'HAYDEN HILL, CAL., March 18, 1903.

'Editor Miners' Magazine,—Please publish the following list of "scabs" in your columns :

'Samuel Harvey, timberman. He once made application to the Cripple Creek W. F. M. Union for membership about a year ago. Tom Eddy, of Iron Mountain, is his uncle. George Depler, miner; Orie Ware, miner; William Terrill, engineer, a member of the Lumber Pilers' Union of Stockton; Dudley Abernathy, labourer, a member of the St. Louis Street Car Men's Union; Henry Levington, foreman, a dangerous man to organized labour,'—

and so on with the names

His Lordship.—Can you tell us what circulation that magazine has?

Mr. Bodwell.—We tried to get that from Mr. Baker. This is the official organ for the month of May. It is a monthly, the official organ of the Western Federation of Miners. Now, while we are on this, it a convenient time to call the Commissioners' attention to several other matters in this same number. The stenographer can take a note of them. Page 51. It shows how these labour organizations attack everything and everyone who don't agree with them. This is an article written on the arbitration committee named by the British Columbia Mining Convention, which actually settled the coal strike at Fernie. Here is an illustration :—

> 'They take evidence on oath, investigate the books, weigh and measure the contents of the cars, &c., and are in a fair way of establishing a precedent and demonstrating the power of that most viperous and misleading, crafty, cunning scheme ever invented to pull wool over the eyes of labour—the B. C. Mining Association.'

Here on page 48 is a glimpse of some of the methods this organization has in view :—

> 'Don't organize in spots. Fill up the gaps, organize workers, and then organize the workers into voters. Agitate first, then educate. Make the official organ compulsory and the battle is won. Affiliate every union in an assembly. . . . . .
>
> 'Don't you know that the next serious strike must be won by a national or international strike, to show capitalists and ourselves how omnipotent unified, consolidated labour is? Stop every wheel in America; silence every telegraph; stop every train; hold every ship at anchor; close every market; silence every press for ten days! Europe will follow our example, and it will be the last strike of labour. The next strike will occur at the ballot-box, and the war will be over forever.'

At page 31 is a letter from the president of the Western Federation of Miners to the United Brotherhood of Locomotive Engineers asking sympathy from them, and Mr. Arthur's reply is given at pages 31 and 32. At pages 32 and 33 is the president's answer. These are interesting as showing the way they love each other—it commences with 'My dear Brother.' At page 20 is an article on the situation at Vancouver, but really referring to Vancouver Island and this present strike. At page 21 it says :

> 'The Western Federation of Miners plays no favourites among employers of labour. Wherever the Federation has unfurled its banner there becomes the battle-field to challenge and halt injustice. Dunsmuir and the members of the copper trust are "birds of a feather," and are recognized by the Federation as fortifications of private ownership which must be bombarded by the political power of organized labour before monopoly capitulates to collective co-operation.'

That is just a sample.

His Lordship.—What is the cost of that periodical a year?

Mr. Bodwell.—One dollar a year. Then there is a report from Nanaimo in the May number also. The date is not given. It is signed by Thomas Brooks, Nanaimo Miners' Union 177, W.F.M. He says :

> 'I have taken upon myself to forward a report of our doings here. I am pleased to tell you that this local of the W. F. of M. has just drawn up a constitution and by-laws for our government, and they were adopted at our last regular meeting. There is only one thing omitted in the order of business that I am sorry was left out, and that is political discussion. We still have some amongst us who seem scared to touch political discussion in the

union. Now, comrade, I think at the next convention this should be one of the things discussed, and see if it could not be determined that it should stand on the order of business, as it is the only thing that can do any permanent good. It will help to educate the workers along the proper lines, and is the only way to make them see that they cannot get any good results from any of the old parties, but if they are ever to get the shackles off their limbs they will have to do it by themselves by electing their own class into power on a straight class-conscious ticket.' . . . . . .

By His Lordship :

Q. Can you tell us anything about the circulation of this magazine amongst the men ?—A. I have not the slightest idea. It has just only come into this town.

By Mr. Bodwell :

Q. When was the Western Federation organized in Nanaimo ?—A. Not long ago; I don't know just how long.

Q. That was the first—at Nanaimo ?—A. Yes.

Q. What do you think about this Western Federation anyway ? Of course, you are a member of it, but what do you think about it as a union ? Do you think it is a good thing for the men in this country to belong to ?—A. I do not; not as a coal miners' union. I think it would be a failure.

Q. It is not a coal miners' union to begin with ?—A. No, metalliferous miners; their interests and ours are not identical.

Q. Don't you think that by belonging to this union you are apt to be governed according to the state of affairs in the United States ?—A. Well, from the nature of things, you can be if you wish it so.

Q. Explain how that is ?—A. On account of the large number of the lodges in the United States and the small number here—the number of the executive in the United States, and only one here.

Q. Now, you heard Mr. Baker say that there were certain things the constitution required of the union, and that its charter could be suspended or dealt with, if it did not act in accordance with the constitution, but as long as it acted in accordance with the constitutiton, no harm can come of it. Now, is it not possible, according to the constitution, to call out a union in a sympathetic strike ?—A. I cannot see where the constitution forbids it.

Q. But the constitution does not exactly provide for it ?—A. I don't think that it is mentioned at all.

Q. Suppose the executive should want you to come out in a sympathetic strike, and you did not want to do it—do you think it would be safe for this lodge to refuse ? —A. I don't think so.

Q. Even if they did not want to go ?—A. Yes.

Q. That is to say, the majority is against you ?—A. The majority is against us as working in Canada.

By His Lordship :

Q. You think that the majority of the men here would yield to the request of the executive on the other side to come out on sympathetic strike ?—A. That would be a hard question to answer. You could not answer that except by actual experience; they might and they might not.

By Mr. Bodwell :

Q. What would your own opinion be. The executive wanted you to strike, and you would rather not strike. Suppose you wanted to stay in the organization, what would you think it advisable to do ?—A. If the executive made the request that any local should come out on strike, I think it would be pretty hard for the local, if they did not do so.

HENRY CARROLL—Ladysmith, May 18.

Q. So although a strike cannot be declared except with a three-quarters vote, that vote is influenced in the right direction by the board of the executive—that is what you think, Mr. Carroll ?—A. Yes, it looks that way to me.

Q. You would favour a union which was altogether controlled by Canadian authority, would you not. Provided you were living in Canada ?—A. Yes, owing to the peculiar situation on the other side, I would. I cannot go into that very much. Our local union here have kept conditions pretty good. We always have had nice pay, and the conditions no worse than anywhere else. They have not improved since the Western Federation took hold of it. There seems to have been strike after strike wherever they have got a foothold.

By His Lordship :

Q. You say the conditions have not improved by the interference of the Western Federation of Miners ?—A. I don't see that they have improved. I know at Nanaimo things were satisfactory. The main argument raised by converts to the Western Federation was that we would have some one behind us to help us out in case of need. That has not materialized as yet.

By Mr. Rowe :

Q. I suppose you think it is better to be kept out of trouble than kept in trouble ? —A. Yes, it would be.

By Mr. Bodwell :

Q. The fact of having a local union in Nanaimo was that there was no considerable trouble serious enough to result in a strike ?—A. Never has been.

By His Lordship :

Q. How long has the union lasted there—before the Federation came in ?—A. About ten years, it may be more.

By Mr. Bodwell :

Q. Don't you know, or have you not heard, that there is a great deal of disturbance since the Western Federation got hold of it ?—A. Yes, that has become public property —that the Western Federation is losing its hold in all the coal mines of Canada—on this side of the line.

Q. Was there any real grievance for the men to come out on strike at Ladysmith ? —A. Well, men have a right to organize if they feel like it.

Q. Outside of that one question ?—A. Well, I don't know. That is the only question, as I understand it.

Q. Have you considered the question of the relative merits of Ladysmith and Extension as places in which to live—having regard to the work done there ?—A. Personally, I would prefer to live at Ladysmith. I moved there voluntarily from Nanaimo. That is my personal feeling. But I would not want anyone to come to Ladysmith who did not want to.

By Mr. Rowe :

Q. Did you ever live in Extension ?—A. I never did. I have worked there, though.

Q. You mean you would rather travel from here to Extension than to live at Extension and work there ?—A. That is what I mean. I would not want to live at Extension under any consideration.

By His Lordship :

Q. Why do you say that ?—A. I don't like the place.

Q. Is it on account of the water ?—A. I don't know anything about the water.

Q. We have heard it said that the conditions at Extension are unhealthy. What do you say as to that ?—A. I don't know whether they are unhealthy or not. I don't like the situation of the place to make a home.

By Mr. Senkler :

Q. In regard, Mr. Carroll, to this statement that you would rather live at Ladysmith than Extension. At the time you moved here from Nanaimo, you knew there was a general order that the men were not to live at Extension ?—A. No, I didn't know that.

Q. When did you move down ?—A. I think it was in December, I am not positive.

Q. Last December ?—A. A year ago. It might be November. I moved down before Christmas anyway, the year before last.

Q. Before you moved down, did you come and make arrangements ?—A. No, I did not. I was working in Alexandria when they closed down.

Q. And you did not know anything about the general order not to live up there ?—A. No, I did not know about that at all. I do not know that I heard anything about it, except hearing it discussed in the mines.

Q. Have you ever worked in a camp where there was a lodge that you did not belong to ?—A. No, I have not unless you would except South Wellington, and I don't think I worked there over a month, or probably six weeks.

Q. You have always been a union man wherever there was a union ?—A. Always, wherever I have been.

Q. You have always joined the union of your own free will ?—A. I never joined on any other conditions.

Q. Always thought it a good thing to belong to a union ?—A. Yes.

Q. Then, of course, you joined this Western Federation of Miners in the same way. Since then you say you have come to the conclusion that the Western Federation is not a good union for the miners ?—A. That is correct.

Q. You give as your reason, what ?—A. The Western Federation, to begin with, is controlled over on the other side of the line. It has in its ranks very few coal miners, very few. The class of men belonging to the Western Federation are not in sympathy with us as coal miners. Ten weeks' experience has proved that.

Q. We will go a little further, Mr. Carroll, in connection with that. Have you ever been at a lodge of one of the Western Federation of Miners, other than the one at Ladysmith ?—A. No, sir.

Q. Have you ever seen any of the correspondence as to the position of the lodge here ?—A. I have heard of it.

Q. You have never seen it ?—A. No.

Q. Is it not a fact that your objection is that they have not given out as much money, up to the present, as you expected ?—A. Yes, that is a fact, that is one of the objections to it.

Q. Would your objections not cease to exist if satisfactory financial arrangements were made between the head office and the local ?—A. No, they would not.

Q. Why is that ?—A. I don't think myself that the Western Federation of Miners will ever amount to a row of beans in this country. We find that those who have been longest in it are throwing it overboard. The Crow's Nest Pass people, you will find, are throwing up the Federation.

Q. Where did you get that information ?—A. That information has been circulated freely this week.

Q. Verbally ?—A. Verbally, from a party who came from there.

By His Lordship :

Q. You mean the Fernie coal miners are getting tired of it ?—A. That they had abandoned it. That is the report, I believe; Fernie, Michel and Morrissey, I think.

HENRY CARROLL—Ladysmith, May 18.

Q. You don't know this as a matter of fact, only what you have heard on the street ?—A. Yes.

By Mr. Rowe :

Q. You got the information from a man from Fernie ?—A. I do not know the man.

Q. Were the reasons given ?—A. The reasons have been given. I saw letters in the press that they claimed the Western Federation had sold them because they effected a settlement.

Q. I think you stated that if proper financial arrangements were made you would stay with them ?—A. I will stay with them whether financial arrangements are made or not, until the majority says not. That is my position. I don't do anything, money or no money, until the majority say so.

Q. In other words, then, you think that the majority of the men are capable of judging whether this Western Federation is a good thing or not ?—A. I don't believe they are all capable, but I allow the majority to rule. I never change my opinion because I am in the minority. I am going to keep fighting until we are in the majority. That is what we will do here, anyway.

By His Lordship :

Q. I understand, Mr. Carroll, that you are in favour of unions ?—A. I always have been.

Q. Will you tell us what you consider the advantages of organizations ?—A. Well, most of the men working in the mines are not able or not willing to take the trouble of looking after their interests individually, and many times the union can make a settlement, if they are organized, and get better terms than a single individual can. That has been my experience.

Q. What are the disadvantages, if any ?—A. One disadvantage is hot-headed men who do not know when to use reason, probably going too far. We are all liable to do that—to make mistakes.

Q. What do you say as to outside agitators being allowed to come into the country and stir up these strikes ?—A. Well, I don't know that there is any law to prohibit them if they feel disposed and have the means to travel.

Q. Do you think there should be such a law ?—A. It would depend on how you define the agitator. A man who goes around stirring up strikes should be prohibited from doing so.

Q. You think the men are quite capable of judging their own grievances without interference from outsiders ?—A. I think so.

Q. Would there be any advantage in having unions incorporated ?—A. Yes, I believe there would.

By Mr. Rowe :

Q. The Nanaimo union is incorporated, is it not ?—A. It was at one time, I suppose it is yet.

By His Lordship :

Q. I suppose if a union were incorporated, it would be an advantage to an employer, would it not ?—A. I should think it would be.

Q. He would have a more responsible body to deal with ?—A. Yes.

Q. Is there not this disadvantage about unions—that there is a tendency to bring down the good man to the level of the weak man ?—A. No, I don't think so.

Q. Well, when the union demand a standard or minimum wage, and the employer considers that minimum wage is too high to pay poor men, he would have to deduct that much out of the good man's wages ?—A. That would not work in the coal fields.

Q. Why ?—A. Most of that business has been between the mine management and the workman himself, except there is a standard price for coal.

Q. The majority of the coal miners are paid by the ton ?—A. Yes.

Q. So it is up to them to determine how much they make according to how fast they work ?—A. Well, yes, but sometimes they are held back by obstacles. It is up to the pit boss then to make arrangements ?

Q. I understand that a complaint of the employer is that instead of settling his wages himself, it is virtually the pit committee, and that that is the chief objection to having a union ?—A. I will tell you the way we worked that at Nanaimo. I think that is a little exaggerated, for this reason : the committee do not interfere with any boss until the man and the foreman have tried to settle it themselves. The miner tries to make a settlement with the overman in all cases. He cannot bring a complaint to a committee unless he does so.

Q. That is different from the Typographical Union. In that union all grievances are taken to the chairman of the committee, and never directly to the employer ?—A. That is the way we did things in Nanaimo.

Q. First, the miner had to state his grievance to the overman ?—A. If he had not done so, he could not state his grievance to the committee. The men are supposed to try and settle it in the first place—to deal with the foreman, and failing that he goes to the committee.

Q. And then the committee, I suppose, inform the employer or the foreman ?—A. The foreman. I never had any experience down here. I am telling you about the Nanaimo union, the way they used to do it.

Q. When the committee could not settle the matter with the foreman at Nanaimo, what did they do then ?—A. Well, the committee went in and looked at the place along with the foreman, and if he could not fix the price, then the place became day's wages, or else stopped.

Q. When they disagree as to the price per ton, it is then done by day's wages or the place abandoned ?—A. Yes.

Q. How often would that occurrence take place—this discussion between the committee and the foreman ?—A. Very seldom. In the majority of cases, the miner can always settle his own grievances with the foreman.

Q. That is assuming that men are reasonable on both sides, a reasonable foreman and a reasonable miner ?—A. Yes.

Q. Could you tell us from your experience at Nanaimo how often the committee had meetings with the foreman about this matter ?—A. No, I have not the slightest idea. It was very seldom any case ever went to a committee.

Q. Would you say once in six months ?—A. I could not fix any time. It was a very rare occurrence anyway.

Q. Were you ever a member of the committee ?—A. I believe I was.

Q. For how long ?—A. I could not say just now for how long. I can remember, anyhow, that we went without cases so long that we forgot who were the pit committee. That will give you an idea of how the thing worked out.

Q. Was the committee appointed every year ?—A. Half yearly, I think.

Q. Were the members of a committee always changed, or were they generally the same men ?—A. They were appointed just as the meeting felt disposed.

Q. How many were on that committee ?—A. Three, I believe.

Q. And that is the committee by which all grievances are considered ?—A. No, that is a committee specially appointed for that purpose—the pit committee.

Q. What about the grievance committee ?—A. I do not know what you would call a grievance committee.

Q. When there were grievances felt by the men ?—A. I suppose that would go to the executive of the union.

HENRY CARROLL—Ladysmith, May 18.

Q. Was it expected that a man should try and settle his grievances first before he went to the executive ?—A. The executive never dealt with individual cases like that.

Q. You mean he would take his grievance first to the foreman ?—A. Yes.

Q. And then if he could not get a settlement of that ?—A. It would go to the pit committee. The pit committee were constituted to settle disputes in regard to the places.

Q. And that is really where the principal disputes arise ? Other disputes rarely arise ?—A. Very rarely.

By Mr. Rowe :

Q. Do you find any difference in the conditions of work between the miners at Nanaimo and those here ?—A. In what respect, sir ?

Q. As to allotment of places, earning good wages and so on ?—A. No, I have made good wages since I was here.

Q. How do the earnings in British Columbia compare with those in Washington ? —A. I believe that Washington is below British Columbia, but I could not say authoritatively as to the exact figures. I have worked there, but it is a long time ago.

By His Lordship :

Q. Have you thought anything about how strikes and difficulties between employers and employees should be settled ?—A. No, I have given but little attention to that.

Q. What do you think of compulsory arbitration ?—A. I would not favour compulsory arbitration.

Q. Why ?—A. I don't really know that I could give a sufficient reason, but I don't look on it with favour.

Q. What method would you suggest should be adopted ?—A. I would be in favour of that Conciliation Bill of Parliament. I think that would about cover the ground—that Bill of Mr. McInnis'.

Q. Is it your opinion that most strikes could be settled by intercourse between employers and employees ?—A. I think so.

Q. Supposing they won't conciliate, what then ?—(No answer.)

By Mr. Rowe :

Q. It was given in evidence that the Nanaimo Union was no good, that it had no strength behind it. Is that your experience ?—A. That has been given as a reason for supporting the Western Federation—that we would have unbounded wealth behind us. The Nanaimo Union kept conditions very good in Nanaimo. We had good men at the head of it, and I found conditions there as good as any place.

WILLIAM SMITH, sworn.

By Mr. Bodwell :

Q. You live at Ladysmith, Mr. Smith ?—A. Yes.

Q. Where did you live before that ?—A. In Nanaimo.

Q. How long were you living at Nanaimo ?—A. Somewhere about twelve years.

Q. Where did you work before that ?—A. In Indian Territory.

Q. You came from the United States ?—A. Yes.

Q. Worked in Nanaimo about twelve years, and have been here how long ?—A. About twelve months.

Q. How do conditions at the mines here compare with those in other places where you have worked ?—A. How do you mean ?

Q. I mean the conditions of the men, the amount of wages paid, the places of work—general conditions ?—A. For my part, the conditions have been as good here as any place I have been at.

Q. You were thoroughly satisfied yourself ?—A. Yes.

Q. And so had no occasion for a strike ?—A. No.

Q. Did you join the union ?—A. Yes.

Q. Why did you join the union ?—A. Well, the reason I joined it was—I don't like a body of men to do business that I may either gain or lose by without having a voice or a vote in the matter.

Q. Would you have felt it necessary, as far as you were concerned, to have a union at Ladysmith ?—A. Not as far as I am concerned.

Q. But after a union was formed you thought you had better join it, because you would have a vote in it. Have you had any experience with the Western Federation of Miners as distinguished from other unions ?—A. No, sir.

Q. Have you any opinions generally as to whether it is a good kind of union to belong to, for coal miners ? Have you any opinion on that subject ?—A. Well, my opinion is that I should think it would be best for the men to have a union and be organized.

Q. As a general thing you believe in unions ?—A. Yes.

Q. But I ask you if you have any opinion as to the Western Federation, distinguishing it from other unions. Is it the kind of union you would choose if you had your choice in the matter ?—A. No, I would not choose it.

Q. Why would you not choose it if you had a free choice ?—A. Because the majority of the Western Federation is outside of the boundaries of Canada.

Q. And you feel that that majority controls ?—A. That is what I feel.

Q. You live at Ladysmith, instead of Extension ?—A. Yes.

Q. Why do you live at Ladysmith instead of Extension ?—A. Because I prefer Ladysmith before Extension.

Q. You prefer Ladysmith—why ?—A. Well, I don't like the look of Extension to live in; I would not like to live there.

Q. When you came here you came from Nanaimo, and the work was going on at Extension, and you said you would not live at Extension, and came to Ladysmith of your own choice ?—A. Yes.

Q. You have a house and lot here ?—A. Yes.

Q. And a family ?—A. Yes.

Q. What objection is there to Extension as a place of residence—it is close to the work ?—A. Yes.

Q. What objection is there to living there ?—A. For my part I would not think it would be a healthy place to live.

Q. Why ?—A. I think from all the nuisances that would be thrown out—I would be afraid of it causing sickness.

Q. Do you find any inconvenience in getting to work under the arrangement they have here—from Ladysmith to Extension ?—A. Well, it is quite a little distance to come and go, yet things are made as comfortable as can be.

Q. How far did you live from your work at Nanaimo ?—A. I guess it would be about four miles.

Q. How did you get there in the morning ?—A. Went on the cars.

Q. Now you have to go about 13 miles on the cars ?—A. Somewhere about that.

Q. How far is it supposed to be when they get the short line finished ?—A. I don't know.

Q. Did you understand anything about the way the coal fields were working—in which way they were going ?—A. Yes, I understand the work is coming this way, towards Ladysmith.

WILLIAM SMITH—Ladysmith, May 18.

Q. When you came here a year and a half ago was it pretty generally understood that the men were all to live at Ladysmith ?—A. I was not told that. I heard some men talking about it—that is not why I came down here.

Q. But that was not the reason why you came to Ladysmith ?—A. No.

By Mr. Senkler :

Q. When you joined this Western Federation of Miners you knew that most of the executive and a majority of the members lived outside of Canada ?—A. Well, I take it from the locals that there are more local unions outside of Canada than in Canada. At least, that is what I understood.

By His Lordship :

Q. What do you consider to be the advantage of unions ?—A. I think, from my experience, that wherever there has been a union there has been less trouble than where there was none.

Q. What do you man by less trouble ?—A. Well, less strikes.

Q. Less trouble where there was a union ?—A. Yes.

Q. In order to have a strike there must be some kind of union or understanding among the men ?—A. No, you don't need that all the time.

Q. You don't think that is necessary ?—A. No.

By Mr. Rowe :

Q. How do you think a union reduces trouble ? In what way do they keep away trouble ?—A. By getting together and discussing the business of the work they are in with the executive before meeting with the management, and I think they work more harmoniously by that than as individuals.

Q. Are some individual grievances killed by the committee ?—A. Yes.

Q. You think, therefore, the management have less grievances presented to them than if there were no committee ?—A. Yes.

Q. If the men are satisfied with the wages paid, what is the object of having a union ?—A. Well, I don't think it is a bad thing for the men to come together.

Q. You think it is a good thing for the men to meet together—that it promotes a better understanding among the men ?—A. Yes.

Q. What do you say as to outsiders being allowed to come in and stir up strikes ? —A. I say if a man comes into the country to stir up strikes, there ought to be some way of stopping him.

Q. You think the men should be allowed to find out their own grievances, without the assistance of outsiders ?—A. Yes.

Q. The effect of a union is to practically exclude non-union labour wherever there is a union ?—A. That is the understanding, that they should try and get all the men together.

Q. There are no non-union miners in Nanaimo ?—A. Not that I know of.

Q. A non-union man could not get work there ?—A. Yes. I guess he could.

Q. How could he get work ?—A. I don't see much to stop him. They might stop him after he got work.

Q. But that is the general understanding—that where the men are unionized no non-union men need apply ?—A. No.

Q. A non-union man would have some difficulty in maintaining his ground if he did not join the union ?—A. He would be persuaded——

Q. Would anything more than persuasion be used ?—A. No, I don't think so; not by reasonable men.

Q. What, in your opinion, would be the effect if the Western Federation asked you to come out on sympathetic strike, and you did not want to do it ?—A. My own opinion

is, if any local was to be called out by the executive board, I think they would come out. That is what I think.

Q. That is on sympathetic strike ?—A. Yes.

Q. I suppose the fear would be that they would be published as scabs if they didn't ?—A. Oh, I don't know. I guess they would be.

Q. At all events, there would not be very good feeling between the union and the executive if they did not comply with the request ?—A. Yes, at least that is what I think.

Q. Do you think a Canadian union or federation of coal miners would be enough to meet all purposes ?—A. Yes, sir.

Q. Are you a Canadian ?—A. No.

Q. An American, are you ?—A. Well, I am not a born Canadian; that is what I mean.

By Mr. Rowe:

Q. A Canadian citizen now ?—A. Yes.

By His Lordship :

Q. What do you think is the best method of settling strikes ?—A. Well, I would think to try conciliatory measures.

Q. You are in favour of conciliation ?—A. Yes.

Q. And if the parties won't conciliate, what then ?—A. Well, I should think there ought to be a law to make them arbitrate.

Q. You think compulsory arbitration would do ?—A. Yes.

Q. Well, the majority of opinions among union men seem to be against compulsory arbitration ?—A. Yes.

Q. Then, if we don't have compulsory arbitration, the weaker party will have to yield, if they won't conciliate ?—A. Yes.

Q. And the strike may go on indefinitely ?—A. Yes, that is it.

Q. And the general public injured ?—A. Yes.

By Mr. Rowe :

Q. When you joined the union, Mr. Smith, did you receive the impression that the forming of the union would result in trouble ?—A. Yes, I did.

Q. You believed the management would not tolerate a union ?—A. Yes.

Q. Did you get the impression at all that it was for the purpose of creating trouble that the union was formed ?—A. No, I could not say that.

Q. Or that it was promoted by any outside influence or not ?—A. Well, sometimes a man has got an opinion of his own that he cannot put his finger on; something he cannot give facts for, and yet that does not stop him from having his own opinion.

By His Lordship :

Q. You think that this agitation for a union here came from the outside, rather than from the inside ?—A. Well, I think there were men here who wanted it, or else it would not have happened.

Q. But the suggestion came from the outside ?—A. That is my opinion, but I cannot prove it.

Q. I suppose quite a number joined the union here rather unwillingly, didn't they ?—A. Well, I don't know.

Q. If the majority of the men were in favour of a union it would take some determination to stand out against that, would it not ?—A. Yes.

Q. I suppose it is safe to say that quite a number joined it unwillingly ?—A. I could not say that.

Q. Have you any doubt about that ?—A. I believe there were quite a number joined it in the same way as myself.

WILLIAM SMITH—Ladysmith, May 18.

Q. Because you didn't want to be in the hopeless minority ?—A. We wanted to know how things were going, and to have a voice in the matter.

By Mr. Rowe :

Q. Do you think the formation of a union has a good effect upon the habits of the men ?—A. I think so, if they are rightly handled.

Q. Their habits are likely to be improved and their intelligence increased ?—A. Yes.

Q. Speaking generally, you believe for the all-round benefit of men they should be organized ?—A. Yes, sir.

By Mr. Bodwell :

Q. Was not the real reason why you left Nanaimo because you wanted to get away from the Western Federation ?—A. No.

Q. Was there not a dispute over there between some of the labour leaders, and was not Ralph Smith opposed to the Western Federation ?—A. Yes, sir.

Q. You were of his party—you were a supporter of his in the labour union ?—A. Yes, sir.

Q. And after you came to Ladysmith ?—A. I think I was in Ladysmith when they organized there. It was talked of at the time I was there, and I voted against it. My opinion was, that it would not do us any good.

JOHN BRYDEN, sworn:

By Mr. Bodwell:

Q. You live in Victoria?—A. Yes.

Q. How long were you manager of the Wellington collieries?—A. From April 1881, until July, 1894.

Q. Were you connected with the company when the Extension mine was opened up?—A. Not in connection with the active management. I continued to visit the collieries and grounds at Extension while it was being opened up. In fact, I was there before any work was done. I advised them and talked over matters with Mr. Dunsmuir. I had nothing to do with the active management.

Q. You formed an opinion as to the advisability of the men living at Extension? —A. Yes, that is a matter that Mr. Dunsmuir and I talked over, and I told Mr. Dunsmuir that I did not think it a desirable place for the men to live, that it would never make a good camp. The water was very poor. I had experienced that, before there was any work there. I had been around there and had great difficulty in getting water fit to drink. There is a lake there, and in the summer time, when the temperature of the water becomes very high, various vegetable matter arises. That vegetable matter is all through the water—not on the surface alone. I suppose the cause of that is that the vegetable matter expands when the water is hot, and while it is cold, it contracts and remains at the bottom. When the water becomes hot, it expands; some rise to the top, and some will rise near the top—in fact, it is in suspension.

Q. Can you drink it?—A. You can get it down, but I don't think it would be very good.

Q. What effect has it on the boilers and engines ?—A. It is not good for them. At Wellington we had that experience. In the dry season, and again in the spring, it leaves a deposit in the boiler—forms a crust, and causes a foaming in the boiler—what we call foaming or frothing.

Q. How about the wells up there ?—A. I don't think it would have been a suitable place for wells. It might have been for a few houses, but for a large number the wells, I don't think would be advisable.

Q. It is a place that could be drained easily ?—A. It might be drained, but there is no supply of water. What water they do get in the wells is not good.

Q. You had some experience with men living in a bad place at Union ?—A. That happened up at Union, they had an attack of typhoid, and I thought the same thing might occur at Extension. I told Mr. Dunsmuir I did not think that Extension would be a desirable place to reside in, especially for men with families.

Q. And you knew that Mr. Dunsmuir made an order for the men to live at Ladysmith, acting in good faith and for what he thought was in their interests ?—A. It was long debated as to whether they would have the shipping point at Departure Bay or Ladysmith. If they could have succeeded in getting Departure Bay they would not have gone to Ladysmith, but they could not get through there.

Q. Yes, they were restrained by the injunction. Then the choice was practically brought down to Ladysmith ?—A. Yes.

Q. Extension you thought was impossible ?—A. Well, not what you would call impossible, but undesirable.

By Mr. Rowe :

Q. Where would you have had the men live if you had shipped from Departure Bay ?—A. A great many of the men had their houses at Wellington. I knew that Wellington would soon be exhausted. I thought if they shipped to Departure Bay the men could retain their houses there and be carried to and fro same as here. I certainly favoured Departure Bay.

Q. The men would not have been changed ?—A. They would have retained their property and lived in their houses. Wellington was a good camp.

By Mr. Bodwell :

Q. Do you know the way the coal fields are working, the direction of the face, and so on, in this camp ?—A. Yes.

Q. You heard what Mr. Dunsmuir said about that yesterday ?—A. I am aware of that too, from a knowledge of the field, that the present base of operations can only be so long. My own opinion is that ten years is the extreme. In time it cannot but gradually work this way.

Q. And then Extension would have to be abandoned at any event ?—A. Or they would have to carry the men from Extension in this direction.

By His Lordship :

Q. What is the average life of a camp as far as you can tell ?—A. That depends altogether upon the extent of the field. The extent of the field at Extension is considerable. It is one of those fields broken up into what you might term detachments.

Q. Patchy ?—A. Yes, there is no very large area in one place.

By Mr. Bodwell :

Q. How long did the Wellington camp last ? Do you know when Mr. Dunsmuir first opened the Wellington mine ?—A. That I forget. I know he was working there in 1870.

Q. The camp was finished when you left in 1894 ?—A. Yes, I went to the camp in 1881. I was in Nanaimo previous to that.

Q. Then the Vancouver Coal Company's camp has really not shifted at all—the men have of course lived in Nanaimo ?—A. Yes, because the field you may say is adjacent to Nanaimo. They have some little distance to travel but not far. What was known as the south field was about three miles distant.

Q. The north field——?—A. That was close by Wellington, just on the boundaries of Wellington. They had a camp there; it was a very good site for a camp.

By Mr. Rowe :

Q. How far is Wellington from Nanaimo ?—A. About six miles by the road.

By Mr. Senkler :

Q. Mr. Bryden, you know that Mr. Dunsmuir allowed a certain number of the men to get property and build houses at Extension ?—A. To what extent I do not know; that is a matter I have no knowledge of.

Q. The general order that Mr. Dunsmuir gave for the miners not to live at Extension was given after some of them had acquired property there ?—A. I don't know as to that. I know it was common conversation that Extension would not be a desirable place to live. I have seen the camp after it was built, and I have thought it was a most undesirable place. The whole camp seems to be built up in higgledy-piggledy manner.

Q. You do not know then how many miners built there ?—A. No.

By Mr. Bodwell :

Q. Of course it was understood that some of the men would always be at Extension—firemen and certain other classes ?—A. It is necessary to have certain classes near to the works.

Q. What class ?—A. There would be the firemen and some of the bosses. In fact you could go further and say the manager should be adjacent to the mines. You have to have some one there in the event of any explosion or accident in the mine, so as to be able to go at once.

By Mr. Senkler :

Q. From your experience in mining, Mr. Bryden, don't you find the miners like to live as close to the mine as possible ?—A. Many do, personally I would not. The men like to congregate around the mines, but I would say if I were the owner of the mines I would not desire it.

By Mr. Bodwell :

Q. What would be the objection ?—A. There is a certain amount of objection to men gathering around the works.

Q. It would prevent discipline if the men congregated around in that way ?—A. It is a thing we try to avoid, people being around the pit-heads or dumps.

By His Lordship :

Q. Do you object to unions, Mr. Bryden ?—A. I don't know that I would object to them if properly conducted. Still at the same time I do not see the use of unions myself.

Q. You would not object to them if properly conducted, but you do not see the use of them ?—A. I fail to see the use of them. As a means of getting large wages I think they are a failure. If you increase the price of coal the butcher increases the price of meat, and so on, it simply reduces the purchasing power of the dollar.

By Mr. Bodwell :

Q. How did you get along with the men at Wellington ? They were not organized ?—A. No.

Q. How did you manage for the ten years there ?—A. We got along very well. We had difficulties once in a while, but when they were over we were as good friends as ever.

Q. When difficulties arose, what method did you employ ?—A. The method usually was individually, but sometimes they would send a committee.

Q. The men could go and see you personally if they wanted to ?—A. Yes, and when they knew it was dinner hour, that was the hour they came. On one occasion they did ask if we would recognize a body, that is the Knights of Labour, and their grievance committee. I asked them the nature of this body—the Knights of Labour. I understood the Knights of Labour was a branch of what was known as the 'Molly Maguires,' and we had a good deal to do with the 'Molly Maguires.' I asked them the nature of the Knights of Labour and the grievance committee. They told me the nature which was virtually to run the mines. I told them if Mr. Dunsmuir has engaged you to run the mines you can do so, but if I am to run the mines I want to run them. As to your Knights of Labour and grievance committee running the mines, I will dig clams for a living first. I had no more trouble about the Knights of Labour.

Q. The questions raised are usually simple ?—A. There is seldom any difficulty in arranging matters at the mine. If the pit committees of the miners are unable to settle any little difficulty themselves they usually go to the manager, and I have never experienced any difficulty in that way.

Q. It is usually a question of allowance ?—A. In these mines here you have always to make allowance because the places are not of a uniform nature. You might have very good coal in one stall, and the adjoining stall would be very poor, and you have to make an allowance. You cannot have a uniform rate per ton, but wherever there is a difficulty you must have an allowance. It is not a sliding scale exactly. It is agreed upon by the man working in that place, and the pit boss. Then there is a great difference in men. You will find as much difference in men as in the places. The men are not always of the same efficiency.

Q. How would that work out in a union ?—A. I don't know ; I have had no experience with unions.

Q. There would be a tendency to bring the scale up so that an inefficient man would earn the efficient man's pay ?—A. That is if there was an effort to make them all alike, but I don't think that was the case in the camps here. I think the men themselves recognize that—that some men are better than others.

By His Lordship :

Q. Under your system where these differences have been settled, who acts as the manager ?—A. Well, if the pit boss, the underground manager, if they did not settle it, it would be referred to the manager and he would usually settle it.

Q. Supposing a man was dissatisfied with the manager, would he appeal to Mr. Dunsmuir or the company ?—A. Certainly, but if you could not come to terms, you would tell the man to go on day work until you got through with the difficulty.

Q. Who fixes the minimum for day work?—A. That is a standard wage; it has been usually $3.

Q. What would settle that from time to time—the condition of the market?—A. That has been the fixed rate. When I came to the country, it was $2.75, and remained at that for many years. Afterwards it was raised to $3, and remained at $3.

Q. Can you tell us how that raise came? Was it by a demand of the miners?—A. I really cannot recollect how that came about. I think it was as much as anything at a time that there was a more than an unusual demand for men.

Q. As I understand it, one of the contentions of the men is, that there is a liability to favouritism in the matter of allotting places, whereas under the union system there is no favouritism?—A. I don't know as to that. I think there is liable to be favouritism just the same as between the committees of the men. The man on the grievance committee is not infallible.

Q. Their contention is, that if they are formed into a union, they have greater strength with the boss, and that when they deal as individuals, they have practically

to yield?—A. Well, for myself personally, I know I would rather do my own business than get a second party to do it. I think, between the master and the pit boss is just as good a way. These grievance committees are not always the best men for the purpose.

Q. Don't you think it would be better for an employer to deal with an incorporated union?—A. I think, if there are to be unions, it would be all the better to be incorporated.

Q. If an employer had a time contract with an incorporated union, he would feel some kind of security?—A. Certainly, if I was an employer, I would know what to do.

Q. And he would feel safer with such a contract with an incorporated union than with a lot of men separately?—A. Well, suppose you are incorporated and have a union, you have the same difficulties to contend with, just the same as if there were no union—that is, these difficulties in regard to places, &c. You cannot make a contract that men will work for a certain rate on the ton for a certain length of time.

Q. Do you know whether Mr. Dunsmuir gave an order to vacate Extension?—A. That I do not; but I know he frequently told me to tell the men, and also gave instructions to the managers and bosses to tell the men, that there would be no camp at Extension—it would be at Ladysmith.

Q. Mr. Dunsmuir told us here that frequently a number of grievances were brought to him of a trifling character, or at least what he considered to be such, and gave it out that he would not receive such committees, and left them to deal with the manager?—A. Yes, or the pit bosses. I have no doubt that such might be the case.

Q. Does that not give some colour of reason to the contention of the men, that they should be unionized—that the employers won't meet them?

Mr. Bodwell.—I don't think that is quite fair. He said he was quite willing to meet the men, but he said they were bringing trifles to him.

His Lordship.—What might be trifling to Mr. Dunsmuir may be of considerable consequence to the men.

By His Lordship :

Q. But that is the position? It depends on the employer whether he will receive the men or not with these grievances?—A. If the men were passing the pit boss and the manager, and going to Mr. Dunsmuir, then I don't think they were taking the right course.

Q. Supposing they could not get a satisfactory adjustment from the manager. We will assume that some manager is unpopular, that he lacks tact, and they go to the employer, and he refuses to see them. Is not that good ground for the men wishing a union?—A. I cannot conceive of that.

Q. But that is what is happening here?

Mr. Bodwell.—That is not what happened. Mr. Dunsmuir did not refuse to see the men at all. The men were going over the manager's head, and he said, as the ordinary conduct of business, that it was the manager's affair.

His Lordship.—I have it down here, 'that I told the men, over a year ago, that I could not be bothered with trifling little matters.'

Mr. Bodwell.—Yes, but it was because they were going over the manager's head and going to Mr. Dunsmuir.

Witness.—My experience in handling men has been a long experience. I find that men would go with a grievance past the pit boss, and not try to deal with him at all. When I laid it before the pit boss, he would be ignorant about it. These things should always be brought to the pit boss.

By His Lordship:

Q. What are the men to do, when they cannot get satisfaction out of the pit boss? Supposing a man found by experience that there was no use going to the pit boss. I

am trying to find why a company, for its own reasons, chooses to keep an employee who has no tact in dealing with men. What are the men to do in that case?—A. It may be that one or two men may be at variance with the pit boss, whereas the others might be working in harmony, and you could not discharge the pit boss because one or two men are opposed to him, and perhaps one hundred working in harmony with him. You have all these difficulties to contend with.

Q. It appears to be a general thing that the effect of a union is to wipe out minor difficulties, and that the employer never hears of them, and that that is one of the advantages of having a union?—A. Well, I could not say as to that. I remember once having a serious dispute in regard to some measurements. The pit boss measured it, but they were not satisfied. They came to me and asked me to measure it myself. I measured it, and made it less than the pit boss had. The men said they were quite satisfied.

By Mr. Rowe:

Q. Proving they had no confidence in the pit boss?—A. Yes, and yet the pit boss was doing them full justice.

By His Lordship:

Q. Did you ever find, in the history of your administration, that you had to get rid of any pit boss on account of difficulties with the men?—A. Not on account of difficulties with the men. We have had to get rid of them, but for other reasons. Of course, if a pit boss becomes generally disliked, then it would be a question as to whether it would not be better to discharge him or not.

Q. You would not consider it good policy to keep a pit boss who could not keep in harmony with the men?—A. Certainly not.

By Mr. Rowe:

Q. Have you formed any opinion, Mr. Bryden, as to the method of settlement of labour disputes?—A. That is a thing which has occupied the attention of the best men, and they have found no remedy yet. Disputes have been from the beginning, and I am inclined to think they will be to the end.

Q. Do you think there are no measures that would tend towards a settlement?—A. A conciliation board might do something. The matter in dispute, at any rate, would be made known, and to a great extent the public has a considerable influence on such matters.

Q. Then compulsory inquiry?—A. I think there should be some power that matters of that kind could be submitted to.

Q. The board would have the power to take up a matter and inquire into the cause of labour disputes?—A. Yes, I think the relation of the facts would have a large share in the settlement.

Q. Failing that, would you approve of compulsory arbitration?—A. I don't think compulsory arbitration would work well, especially among the men. I think there would be a great want of confidence in compulsory arbitration. I really don't think it would work well.

Q. They say that has not been the case in New Zealand. There is a form of compulsory arbitration there?—A. We get different accounts in regard to that, some that it works well, and others that they have grievances. I think this last affair in Victoria, even with government employees, shows the thing is not working satisfactorily.

By His Lordship:

Q. The difference in New Zealand, as I understand it, has been that the award has always been made on a rising market, and generally in favour of the men, but the position has not been tested when the market is a falling one, and therefore against the men?—A. That is just the difficulty.

JOHN BRYDEN—Ladysmith, May 18.

Q. There might be great difficulty in enforcing it against the men, whereas it is easy enough to enforce it against the employer ?—A. I don't see how you can force men to work. I don't think you can compel a man to carry on his work if he thinks it is not warranted.

By Mr. Rowe :

Q. You spoke of the fact that when wages are raised the price of coal is raised, and other commodities similarly, so that the purchasing price of a man's wage is no greater than formerly ?—A. If a branch of wage-earners are united, and say they force the wages up twenty per cent, you reduce the purchasing price of the dollar twenty per cent. You must take into consideration the cost of the union. Where they have paid officers you have to contribute to the support of these men. They have to pay 20 per cent more for anything they buy for the support of these men. I don't see the benefit of a union. You arrive just where you started.

Q. Don't you think it is possible for them to get a larger proportion ?—A. If all trades are united, I don't see how you can. The result is such that of manufactured goods produced here the price is raised, and the dealer will deal with the foreign market to the exclusion of goods here, so that you drive the manufactured goods out of the province.

Q. Is not the proportion of profit as large here as in other provinces for the manufacturer ?—A. I am not sufficiently posted on that. I know labour is high compared with other provinces.

By His Lordship :

Q. Coal is pretty high compared with other provinces ?—A. It is. Not as high here as in the city of London.

By Mr. Rowe :

Q. I know we get anthracite coal delivered in Toronto for the same price Comox coal is delivered in Victoria ?—A. Of course labour is a good deal higher now. Five or six years ago I was through Nova Scotia and Cape Breton, and I found the wages there very much lower than here. Of course goods were lower also, but if you went into a hotel to get a meal, I could get a better meal here in Victoria for the same money.

By Mr. Rowe :

Q. Perhaps they have a better bar trade ?—A. That might be so. If you do away with the bar you will find the workmen will be in a better position.

Q. Do you think the bars produce disputes ?—A. Well, no, but they take away a great deal of the workmen's money.

Q. Have you ever formed an estimate of what proportion of wages goes into the bars ?—A. I have not, but take Victoria and see the number of men who run saloons there and you can find an idea of what the workmen pay.

Q. You think that workmen contribute most of the support to saloons ?—A. Well, a great deal.

Q. Do you remember the date of that injunction in reference to Departure Bay ? —A. No, I do not. I was out of active management. Of course I did feel disappointed when Mr. Dunsmuir was not able to reach the bay, because I thought it would have been the best place for shipping. It is a very good harbour, and very well known. It is of easy access, to get in and out at any time.

Q. I suppose it would have been more advantageous to the management to have shipped from there, instead of establishing the new town ?—A. Well, they would have had new wharfs to build, so that the expense might have been about the same.

Q. It was after that injunction that the evacuation was ordered from Extension ? —A. Yes.

JOHN BRYDEN—Ladysmith, May 18.

MOSES WOODBURN, sworn.

By Mr. Bodwell :

Q. Do you live at Ladysmith, Mr. Woodburn ?—A. Yes, sir.
Q. You are a coal miner ?—A. Yes.
Q. How long have you lived here ?—A. Since last August.
Q. Where before that ?—A. Nanaimo.
Q. How long were you there ?—A. About 14 years.
Q. You never worked at Wellington ?—A. Yes.
Q. How long there ?—A. Probably about 4 or 5 months.
Q. Then you went to Nanaimo ?—A. Yes.
Q. And after you came to Ladysmith ?—A. Yes.
Q. You have a wife and family ?—A. I have a wife, but no family.
Q. You have a house and lot ?—A. I am purchasing one on the instalment plan.
Q. You came to Ladysmith—you were not ordered from Extension ?—A. Oh no.
Q. Why didn't you go to Extension to live ?—A. I didn't think that would be a desirable place ; I would rather live in Ladysmith.
Q. What objection have you to Extension ?—A. Well, I have lived in Nanaimo where everything is nice, where the cottages are laid out nice. I thought I had got into a cattle pen when I got on the south side of Extension. Of course on the other side a man could make a nice little building if he had the opportunity.
Q. Did you form any opinion about the sanitary conditions there?—A. I could not see how there was a possibility of any sanitary conditions, because I understood the majority of people were paying ground rent, and where that is so, people are not going to urge for a sewage system. You take property owners—people who own the land and are going to reside there for some time—they generally agitate for some system of sewage, or a sanitary system.
Q. How about water?—A. No, I don't know much as to that. Only I heard the talk pretty frequently around there that the men in the summer time drank beer.
Q. You didn't want to take any chances on the water?—A. No.
Q. Did you join the union here, Mr. Woodburn, when it was formed?—A. Yes, sir.
Q. When it was first organized, or later?—A. I joined—let me see—the Monday after Mr. Baker made a public speech down on the green. He made a speech on Sunday, and on Monday I went up and deposited my dollar. It was probably two weeks afterwards before I was initiated.
Q. What was your idea in going into the union?—A. I could see all the men going in, and I was not going to be left alone.
Q. Did you have any opinion that you ought to join for any reason?—A. No, I don't know that I had.
Q. Had you any difficulty in adjusting questions which arose ?—A. Not the slightest.
Q. Who is the boss of your shift?—A. You mean the foreman of the mine which I work in?
Q. Well, is there not a separate boss on each of the shifts during the twenty-four hours—a pit boss?—A. Yes, sometimes.
Q. Who has been the pit boss most of the time you have been working?—A. Well, it is the mine foreman who goes around. He is called the overman.
Q. Who is that in this case?—A. Mr. Wilson.
Q. You never had much trouble with him?—A. No, not any.

By Mr. Senkler:

Q. Do you remember when it was you went up to Extension? When did you first go up there to work ?—A. I went up somewhere about the 19th or 20th of August.
Q. And it was at that time you thought it an undesirable place in which to live? —A. No, I visited it a month prior to that.

Q. Were you ordered not to move there?—A. No.

Q. Hear anything about that?—A. I heard a common rumour that the men had to go to Ladysmith, but not officially.

Q. As a matter of fact, had you liked the place, you would have gone up there to live?—A. I suppose I would, along with the rest.

By Mr. Rowe:

Q. Are you a union man?—A. Yes, sir.

Q. You believe in labour unions?—A. Yes.

Q. What do you consider to be the advantages in reference to coal mines?—A. To prevent trouble and strikes. I know they have in Nanaimo.

Q. How long were you a member of the union at Nanaimo?—A. From its inception until I left; I think it was formed in '89 or '90.

Q. During that time was there any strike?—A. Not in Nanaimo.

Q. Any suspension of labour through grievances?—A. Probably, one or two days, that is all. There was practically nothing.

Q. Do you have any benefit fund in connection with that union?—A. No, not any.

Q. How do you arrange for payment of dues?—A. That is attended to from the company's office.

Q. The office administer the funds?—A. No.

Q. Just collect the money from the union?—A. That was separate entirely from the union.

Q. Was the union incorporated?—A. Yes.

Q. Under what Act?—A. Under the Dominion Trades Union Act.

Q. There is a provision for incorporation, is there?—A. Yes.

Q. Do you think it is to the benefit of owners of collieries that their men should be in a union?—A. I think so.

Q. Why?—A. There is a great number of men who have grievances, and that is brought into the body and discussed. It is often found that there is nothing tangible in it, and the man just imagines he has a grievance. And when he gets among his fellows and hears his case thoroughly discussed, he comes to the conclusion that he might put himself in a ridiculous position, if he tries to make trouble over his case.

Q. With reference to the union here—you joined it?—A. Yes, I may say at the beginning.

Q. Were you at the first meeting?—A. No. There had been a meeting more than a week ago. I was at the second meeting, when the organization took place.

Q. Did you know there was to be a meeting before it was held?—A. Yes, I heard it talked around.

Q. Were you consulted as to the advisability of holding the meeting?—A. Well, I talked to one or two about it. I didn't approve of the suggestion.

Q. Why?—A. I was under the impression that the Western Federation of Miners was going to be organized to it, and I did not approve of that organization being brought in here.

Q. Was the Nanaimo Union part of the Federation, when you belonged to it?—A. No, the Nanaimo Union joined it last January.

Q. When was the vote taken in reference to it?—A. Probably, September or October; after I left anyhow.

Q. Did you think the formation of a union here was being promoted by the Western Federation people?—A. Well, I don't know.

Q. Did you think that influence was exercised from Nanaimo for the promotion of a union here?—A. I could not say for certain. I had that impression, but I could not prove it.

Q. What reason was given for calling the meeting that you were consulted about?—A. I did not say that.

MOSES WOODBURN—Ladysmith, May 18.

Q. You heard about the meeting being called ?—A. Yes.

Q. What was the reason ?—A. I never heard any.

Q. Did you ever hear anything about a request for increased wages ?—A. No, I can't say that I did.

Q. Was there a general talk that there ought to be a demand for a 15 per cent increase ?—A. I had heard people say there ought to be a probability of getting ten per cent advance, owing to the duty being taken off. I did not hear that assigned as a reason.

Q. You understood that the meeting was to be called for the purpose of forming an organization ?—A. No, I could not say for certain.

Q. And you thought that would not be wise ?—A. No. I am not favourable to bringing the Federation against Mr. Dunsmuir.

Q. Why are you not favourable to that ?—A. Well, Mr. Dunsmuir has always led us to believe that he is opposed to unions, and I should think the Western Federation ought to be the last to run against a man who is a little bad-tempered about it.

Q. You thought the formation of a union would result in trouble ?—A. Yes.

Q. Do you think it was promoted in order to make trouble ?—A. Well, I could not say as to that. Probably some of them had a grievance. Probably the organizer thought it would be a good field to work on. I could not say anything for sure.

Q. Are you in favour of conciliation ?—A. Yes.

Q. Do you favour compulsory arbitration ?—A. No. I cannot see how it will work out satisfactorily on a case of increase or decrease in wages. What will the arbitrators decide on ? Will they decide on the amount to be paid on capital invested, or the selling price of coal in the market ? What are they going to decide on ?

Q. Because of the difficulty of reaching a conclusion you oppose it ?—A. That would be the difficulty.

Q. Were you a coal miner in the old country ?—A. Yes.

Q. Are the coal miners organized throughout there ?—A. Where I resided.

Q. Are the methods employed there the same as here ?—A. No, not the same.

Q. In the union, I mean ?—A. They have conciliation boards there. Where I resided there was a coal owners' association and the miners' association, and they had six men picked from each side, and when a dispute arose the question was taken before one board, and failing a settlement then it was discussed as to whether we should go to arbitration. Sometimes if they agreed it would go to arbitration. When they failed to agree it would be a strike.

Q. Was there any method in assigning men the different places in the mines ?—A. The coal seams there, are more uniform. It is not the same as here at all. It is all jumbled up here. To-day it may be favourable and to-morrow unfavourable. The coal seams are more uniform in the old country.

Q. And yet there is a system of allocating the men ?—A. Well, no, they fix the price per ton. They do not work on the men at all there.

By Mr. Bodwell :

Q. You said you don't like the Western Federation, and thought it should be about the last union to be started here. Why is that ?—A. Well, the leaders of that organization are adopting the principles that they will never accomplish anything until they seize the management, so that I cannot see how any employer should fancy an organization which wants to seize his works.

Q. Socialistic in the extreme ?—A. Yes.

Q. Did you have any suspicion that there might be some politics in it ?—A. I was aware that there was politics in it.

By His Lordship :

Q. What do you mean by that ?—A. Having candidates upon the line they think most suitable to them. They propose to form a sect or party.

MOSES WOODBURN—Ladysmith, May 18.

By Mr. Bodwell :

Q. Take Nanaimo. They are controlled by the socialistic party ?—A. I could not say for that.

By His Lordship :

Q. The majority of the members of the Western Federation approve of the doctrines of socialism ?—A. Yes, the members of the executive board.

By Mr. Bodwell :

Q. And the socialism which, as you say, looks to appropriate the works of the employer and divide them among the men ?—A. Making them become public property.

By His Lordship :

Q. This question of entering the Western Federation of Miners—was that decided by open ballot, or how ?—A. There was never a ballot taken on it that I know of.

Q. I mean this first meeting, this resolution to join the Western Federation ?—A. I was not at that meeting.

Mr. Bodwell.—The minutes say, first a ballot was proposed, and afterwards a show of hands.

By His Lordship :

Q. I suppose the effect of the formation of a coal miners union is to virtually compel all to come in ?—A. Yes, that is it.

Q. Men who did not belong would be gradually frozen out ?—A. The difficulty is you cannot go with the same fellows and feel sociable. You do not feel the same as if you were along with them.

Q. I suppose I am safe in saying that a good many men join unwillingly ?—A. Well, probably men join on the same ground that I would join. I recognized when this organization started it was going to make a condition, and I must either gain or suffer by the condition, and I wanted to have some share in the control of the movement.

By Mr. Bodwell :

Q. Have you any reason to believe that there was any money paid to any person to work up this organization here ?—A. Well, I don't know whether there was or not.

Q. That is to say, you have no knowledge on the subject, only a suspicion ? Is that right ?—A. Yes.

Q. Did that go far enough with you to cause you to charge a certain person with having been connected in that transaction ? I mean to say, was your suspicion strong enough to induce you to mention it to the man you thought was connected with it, on one ocasion ?—A. Yes.

Q. What did he say to it ?—A. Well, I don't know whether he took it seriously or not, or in the way of a joke. I asked him to throw his commission into the service of all these people who needed something to eat.

Q. And he did not see it that way ?—A. Oh, yes ; he said he would do that and more, but I don't know if he said it for a joke or meant it seriously.

By Mr. Senkler :

Q. I want to ask you one question. I think just about the last question, you made some reference to a man whom you had spoken to in connection with being paid by the Western Federation to organize a lodge here, that you had your suspicious, and you had spoken to a man. Who was that man ?—A. I spoke to him on the street corner, his name is Thomas Shenton.

Q. What answer did he give ?—A. He said he would do that and more. I don't say the man took that seriously.

Q. Do what and more—divide what money he had made out of the Federation for the support of needy people ?—A. Yes, that he would do that and more for the people.

Q. You don't know whether he said it in earnest, or as a joke ?—A. No, I have not spoken to him since.

By His Lordship :

Q. Mr. Shenton has taken a prominent part in getting up the union ?—A. He fills the position of deputy organizer for the Western Federation of Miners. That is what I understand.

Q. By organizer you mean Mr. Baker ?—A. Something similar to Mr. Baker ; he is the superior officer.

Q. Has Mr. Shenton ever been among the men ?—A. Yes.

Q. How many times ?—A. Only once that I am aware of.

Q. When was that ?—A. Two or three weeks ago, I think.

Q. Was Mr. Shenton ever requested by the men here to go anywhere on their behalf ?—A. Not that I am aware of.

Q. You say he was here about two or three weeks ago ?—A. Yes, sir.

Q. Not before that ?—A. I could not say ; that is the only time I know.

Q. So far as you know this idea of forming a union here was suggested from the outside, and not from the men themselves ?—A. Well, I don't know for a certainty, but that is my supposition.

Q. What reason have you for thinking so ?—A. Well, I always knew that the men at Nanaimo have always been anxious to organize these mines.

Q. Is that since the men at Nanaimo became members of the Federation ?—A. No, I am speaking prior to the time they joined the Federation.

Q. I suppose there have been frequent visits from Nanaimo men here ?—A. No, I cannot say that there has. There may have been for anything I know, but I cannot say there has.

Q. You have only had one conversation with Mr. Shenton since you have been here ?—A. That is in Ladysmith, yes.

Q. Have you had any conversation with any other Nanaimo union men ?—A. Not in Ladysmith.

Q. At Nanaimo ?—A. You can scarcely go there since this trouble arose without hearing something about. In fact you can scarcely get through the street without they want to know how affairs are down here.

ANDREW ROBERTSON, sworn :

By Mr. Bodwell :

Q. You live at Ladysmith Mr. Robertson ?—A. Yes, sir.

Q. How long have you been here ?—A. Nearly a year.

Q. Where did you come from, here ?—A. I was living up at No. 1 for about five weeks before I came here.

Q. Where before you went to No. 1 ?—A. Nanaimo.

Q. Did you ever work at Wellington ?—A. Yes.

Q. When ?—A. Over fifteen years ago.

Q. How long did you stay at Wellington ?—A. I have been off and on to Wellington pretty much all the time for fifteen years. I lived at Northfield for a little while, but off and on for the last fifteen years at the Wellington collieries.

Q. You went from Northfield to No. 1?—A. I went to board at No. 1. I was working at No. 3.

Q. How long were you up there?—A. Four or five weeks.

Q. And then you came to Ladysmith to live?—A. Yes.

Q. What do you think about living at Extension, or living at Ladysmith, as a matter of residence?—A. I would not want to live up there.

Q. Would not live at Extension?—A. No, I don't think you could pay me to live there.

Q. What is the reason?—A. Well, I don't think it is a health resort.

Q. You had some experience, didn't you? Your wife was not very well at No. 1?—A. My wife was living at Northfield at that time.

Q. You came to Ladysmith voluntarily because you preferred it?—A. Yes.

Q. Did you ever belong to any union before you joined this one here?—A. I belong to the union in town.

Q. Yes, but before that?—A. Yes, the Knights of Labour when I was in the States.

Q. But in this country?—A. I belonged to the Nanaimo union.

Q. But you did not belong to a union while you were working at Wellington?—A. No.

Q. When did you join this one? Were you one of the first or later on?—A. It was two or three meetings before I was initiated.

Q. You have not been to many of the meetings of the union, have you?—A. I think pretty nearly all with the exception of the first one or two.

Q. Did you ever have any trouble on your own account while you were working at Wellington—anything you could not settle with the bosses?—A. No.

Q. So far as you were concerned then, you did not feel the need of a union personally?—A. Not so far as I am concerned.

Q. Why then did you join the union here?—A. I joined it like the balance—for the support I would get out of it.

Q. It was represented as a strong financial concern?—A. I understood that.

Q. And that if the men needed any financial support they would get it from them?—A. That was the impression I got.

Q. Most of the men thought that?—A. It seems so.

Q. It has not worked out in that way so far?—A. I am afraid not.

By Mr. Senkler:

Q. When you went up to Extension from No. 1, you were there about five weeks?—A. Somewhere like that.

Q. Were you boarding up there?—A. Yes, sir.

Q. You didn't build a house for yourself?—A. No.

Q. How long were you working at Nanaimo?—A. Four months the last time.

Q. And how long ago was it you were working there before?—A. I don't know; about 7 or 8 years ago.

Q. Was there a union there at that time?—A. Yes.

Q. Did you belong to it then?—A. Yes, you had to.

Q. You belonged at any rate?—A. Yes.

Q. And you belonged to the union the last time you were working there too?—A. Yes, sir.

Q. You joined this local union here?—A. Yes.

Q. You were not forced to any way, were you?—A. No.

Q. Are you in favour of unions as a rule?—A. Certainly.

Q. You don't wish to qualify that in any way? You are certainly in favour of them?—A. Yes.

By His Lordship :

Q. What do you say as to Canadian unions, as opposed to American unions ?—A. I prefer it to be Canadian.

Q. Who asked you to join this union ?—A. Nobody asked me at all.

Q. Did you ever talk with anyone, before you joined, about the advisability of joining ?—A. Yes, I did, a little.

Q. With whom ?—A. With Martin Woodburn.

Q. Anyone else ?—A. No, sir.

Q. Ever have a talk with Shenton ?—A. No, sir.

Q. Suppose you had a talk with Baker ?—A. No, I never had a talk with Baker.

Q. What do you consider to be the chief advantages of a union ?—A. I think it is a pretty hard question. It has disadvantages too.

Q. I would like to hear both ?—A. I don't know that I am prepared to give it to you. One thing, in having a union you can have a committee, which you cannot individually, to look after the work.

Q. What sort of work ?—A. Anything in connection with the work in the mines.

Q. In the way of allotting deficiencies ?—A. Yes.

Q. Do you think the men have their grievances adjusted better by means of a committee than individually ?—A. Yes, I believe so.

Q. You have experienced both systems ?—A. Yes, I have had a lot of experience with both classes.

Q. Did you ever feel the need of a union ?—A. Not personally.

Q. You feel that you can paddle your own canoe, if necessary ?—A. I have always had to do it, anyway.

Q. What do you say are the disadvantages ?—A. Sometimes there is a little friction between the committees and the pit bosses.

Q. I suppose, when a man becomes a member of a union, to a certain extent he surrenders his own freedom ?—A. I have not surrendered mine.

Q. Is not that a necessary result of joining a union that is bound by the will of the majority ?—A. Yes, certainly; you are supposed to go by the majority.

Q. If the majority are unreasonable, that forces you to be unreasonable ?—A. Yes, certainly.

Q. So that the union is a good thing, if the men who run the union are reasonable men; if not, it is not ?—A. It cannot be good in that way.

Q. Everything depends upon the officers ?—A. Yes, sir. A good deal of it does, anyway.

Q. What do you say as to outsiders coming in and agitating and stirring up strikes ?—A. I think they had better stay at home.

Q. Do you think there should be a law to keep them out ?—A. I would not like to say anybody should be kept out of the country. I think they should be allowed to come in, as long as they behaved themselves.

Q. That is the point. Do you think an agitator should be allowed to come in and stir up a strike ?—A. No, I don't.

Q. You think the men are quite competent to find out their own grievances ?—A. Yes, I think so.

Q. Have you ever known of grievances being quashed by the committee, and not get to the ears of the employers ?—A. Yes.

Q. What proportion ?—A. I have seen it in lots of cases where the pit committee was called to adjust a grievance with the pit boss.

Q. Have you ever heard of grievances which were turned down by the committee and never brought to the attention of the manager ?—A. I believe I have, but I would not say for sure.

Q. I suppose it is practically impossible for a non-union man to get work where the men are unionized in the mines ?—A. Not all the time.

Q. Do you know of any case where pressure is used to induce men to join the union?—A. I know it has been used on the other side, in Washington.

Q. What kind of pressure was used?—A. You had either to belong to the Knights of Labour or get out. That was all that was used.

Q. I suppose unionism depends chiefly for its success upon practically all the men belonging to the union?—A. Yes.

Q. If any considerable number stay out, it is practically useless?—A. If there is a division there, you cannot work very well.

Q. What would you suggest as to the method of settling strikes?—A. Conciliation.

Q. And if that doesn't work, what ?—A. I suppose you have to fight then.

Q. I mean, how would you settle a strike, if the parties won't agree?—A. Well, I suppose you will have to fight.

Q. Until the weaker party gave in?—A. That would be the natural result of it.

Q. You would not favour compulsory arbitration?—A. No, sir.

Q. Why would you not favour that?—A. I don't think the law should be made so as to compel men to go to work, if they don't feel inclined.

By Mr. Rowe:

Q. Are you a member of the Nanaimo Union now?—A. No, sir.

Q. Can one retain his membership, working in another colliery?—A. I believe he can, but he would have to take his withdrawal card from the Nanaimo Union and put it here.

Q. Suppose there was no union here?—A. I don't know about that; I believe he could, though.

Q. You say you prefer Canadian unions—why?—A. I think the headquarters of unions are a little too far away. You cannot do business with them; it takes too long.

Q. You said one of the disadvantages of a union is the difference between the pit committee and bosses?—A. Sometimes.

Q. Are these difficulties likely to be greater than between individuals without a union?—A. Well, I don't know.

Q. Is the tendency not rather to reduce the number of grievances, if there is a committee?—A. That is the idea of the committee being there, though they don't always do it.

By His Lordship:

Q. I suppose the idea of a committee is as a sort of conciliatory body?—A. Yes.

By Mr. Bodwell:

Q. The pit committee at Northfield fixed the price at the places, didn't they?—A. Well, no, they did not fix it that way.

Q. Was it not the result of what the pit committee did that the mines would not pay ?—A. I believe the company claimed it was.

Q. The company shut down, didn't they ?—A. Yes.

Q. And it was not until after the pit committee had been engaged in fixing prices ?—A. We had a pit committee up there for a long time before the company shut down.

Q. They insisted on a good many changes ?—A. Yes.

Q. And as a result of that the company shut down ?—A. I don't know, I heard it claimed.

Q. The fact was, they shut down ?—A. Yes, they shut down all right.

By Mr. Rowe :

Q. Were the prices demanded there higher than for other mines ?—A. It is different work, and it requires a different price.

Q. The pit committee was simply asking prices at which the men could make the prevailing rate of wages ?—A. I think so.

By His Lordship :

Q. What do the men here gain by joining the Western Federation of Miners ?—A. I don't know that we have gained anything yet. I don't know what we will gain. I don't know that we have got anything so far.

Q. You have asked for aid, have you not ?—A. Yes, I have got $4.40.

By Mr. Rowe :

Q. What would you earn in the same period in your district ?—A. A couple of hundred dollars.

Q. Your initiation fees are pretty high then ?

By His Lordship :

Q. How do you expect to make up that loss ?—A. I will never make it up. That time is gone.

Q. You don't expect to make that by demanding a raise in wages ?—A. You would not get enough to get that.

Q. I suppose if you were to withdraw from the Western Federation at the present time you would be blacklisted, would you ?—A. I expect so.

Q. What would be the effect of that ?—A. I don't know. It would cause a lot of hard feeling anyway.

Q. Would it be a difficult matter for you to get employment as a coal miner anywhere ?—A. I suppose where there was organized labour it would.

Q. You would see your name in this magazine ? That would be the effect, would it not ?—A. I don't know. I have never seen a copy of that myself. I don't know what it is like.

Q. What do you know about the calling out of the Cumberland miners ?—A. I know that there was a request made that they should come out, but I don't know much about it.

Q. There was a resolution passed by the men here ?—A. Yes.

Q. Do you know when that was ?—A. I could not tell, three or four weeks ago.

Q. Do you know who moved it ?—A. I could not tell you.

Q. Were you there when it was moved ?—A. Yes, but I don't know the man who moved or seconded it. It was not carried unanimously.

Q. There was a ballot on it ?—A. There was a show of hands.

Q. What proportion of the meeting was in favour of it ?—A. I guess there must have been 75 per cent in favour of it.

Q. Then there was a telegram sent to Cumberland, embodying this resolution ?—A. This part, I don't know anything about.

Q. Who is the secretary ?—A. Mr. Mottishaw.

Mr. Bodwell.—I think we had better have him called.

Mr. Rowe.—The minutes are all in.

Mr. Bodwell.—Not of these meetings, I don't think so.

By His Lordship :

Q. Was Baker at that meeting ?—A. Yes, sir.

Q. What did he have to say about it ?—A. There was considerable discussion on the motion. Some thought it could not be done according to the constitution, and Baker seemed to favour the idea that he could do it.

Q. Did he say anything about authority being given by the executive ?—A. Yes, I guess he did make some kind of promise of some kind, but I don't know what they are really worth.

ANDREW ROBERTSON—Ladysmith, May 18.

Q. Did Mr. Baker speak in favour of the resolution?—A. No, I don't think he did.

Q. Did he say what would happen if the resolution passed?—A. I think he said that the executive would approve of it—something to that effect.

Q. And that the executive would lend assistance to carry it out?—A. That was the understanding I got of it.

Q. That is what you understood from what he said?—A. Yes.

Q. Did Mr. Baker ever state in your hearing what the consequences would be if the men withdrew from the organization, or went back to work without permission?—A. If he did I don't remember it.

Q. How long did he speak at this meeting?—A. I think he spoke more than once, but I could not say how long he did speak.

Q. What else did he talk about besides the executive sanctioning this union?—A. I don't remember.

Q. You were not interested in his remarks?—A. I don't remember. I was not in favour of calling the men at Comox out.

Q. Why not?—A. I thought they would fill up the mine with Chinamen, and that the other men would lose their places and not get back again.

Q. What was to prevent the company from filling the places of the men here with other men?—A. You will have to ask the company; I could not answer that.

Q. You knew when you joined this union that you stood a chance of being discharged from your employment?—A. Yes, sir.

Q. You knew that the company was opposed to unions?—A. Yes.

Q. If that is the case, why were you so eager to join the union?—A. It was time to join after all hands were in it.

Q. You felt you had to join because most of the men joined?—A. Certainly.

Q. And it was not with your own free will that a union was formed—so far as you are concerned?—A. As far as I was concerned, I didn't care whether it was formed or not.

Q. I suppose others thought the same as you?—A. I believe there were.

Q. You have had talks to that effect with some of the men?—A. Yes.

Q. How many others?—A. Quite a few, possibly twenty.

Q. Were you at that first meeting?—A. No, sir.

By Mr. Rowe:

Q. While you were working in these mines, Mr. Robertson, did you hear much complaining about the men having to live at Ladysmith?—A. Yes, you would hear the general remark that was around. I have heard a great many talk—just a general report. I don't know whether it was a fact or not.

Q. That men were forced to live in Ladysmith against their will?—A. That was the general talk.

Q. You would regard that as an existing grievance among the men?—A. Well, I don't know.

By His Lordship:

Q. I gather, Mr. Robertson, that you think it was a good thing the men were not allowed to live at Extension?—A. Well, they can suit themselves; I would not.

Q. Well, but if the conditions are as you say they are?—A. Well of course some people can live anywhere.

By Mr. Rowe:

Q. What I wanted to know was whether that feeling was pretty widely spread among the men, judging by what you heard?—A. I did not hear men say anything about it myself.

Q. Did you ever discuss with any men the relative merits of the two places as a residence, Ladysmith and Extension ?—A. No, I don't think so.

By His Lordship:

Q. I gather that you would have been satisfied if no union had been formed here ?—A. Perfectly satisfied, for myself.

By Mr. Senkler:

Q. At this meeting where the resolution was passed in connection with the Cumberland men, are you quite sure that Mr. Baker said that he would see that the executive would endorse it? Are you sure you heard Mr. Baker say that?—A. I would not be certain, I think so.

By His Lordship:

Q. Was Mr. Shenton at that meeting?—A. I don't think so; I would not be certain though.

Q. If he was at that meeting, what was he doing there?—A. No, Mr. Shenton was not there.

Q. I suppose nobody but members of the union had any business there?—A. Well, he is a member of the union.

Q. Not of this local union ?—A. Well, he can visit anyway.

Q. Not without invitation?—A. Yes, as long as he is in good standing, and has the password.

Q. Any member then in the States could come in without permission?—A. Yes.

By Mr. Rowe:

Q. But could not take part in the proceedings?—A. He would have no vote.

Q. Just bear the same relation as any visiting member of an organization ?—A. Yes.

By Mr. Senkler:

Q. Didn't you hear Mr. Baker say a good many times that he had no right to say anything or suggest anything to the men—that all he was there for was to give information when asked for it ?—A. He was asked for that information at that meeting.

Q. Have you not heard him state that he was not there to give views of his own, but simply to give information?—A. I would not be sure, but I don't think he has done anything except when he was asked. I would not positively say I did not hear him say that.

SAMUEL LAUDERBACH, sworn.

By Mr. Bodwell :

Q. When did you first work for the Wellington Coal Company ?—A. About 15 year ago.

Q. You worked at Wellington first ?—A. Yes.

Q. And then from Wellington you went to Ladysmith—or did you go ?—A. I went to Extension.

Q. To No. 1 ?—A. No, I first worked at No. 2, about five years ago this fall.

Q. And when that was worked out you came to Ladysmith ?—A. No, it is not worked out yet. It was stopped for a short while. Some trouble with Mr. Hobbs, I believe. I worked possibly a year at No. 1 and then came back to No. 2. I worked almost continuously at Extension for the last five years.

Q. When did you begin to live at Ladysmith ?—A. About two years ago.

Q. You were one of the first men at Extension, were you not ?—A. Yes, one of the first men at No. 2 slope.

Q. What was your understanding, and how did you get it that the men were to live at Ladysmith—it was understood ?—A. I was told by Mr. Haggerty, who was in charge then, that we would have lumber to build a temporary shack there and move our families if we cared to do that, but the town was to be at Oyster Harbour.

Q. But that was only to be temporary ?—A. Yes.

By His Lordship :

Q. When was that ?—A. In the fall of 1898. It was in September, I believe, the first levels were started in No. 2 slope.

By Mr. Bodwell :

Q. Was there any doubt but that that was the general understanding among the men at the time ?—A. No, not in my mind. I think all the English-speaking men at least understood that.

By His Lordship :

Q. That was in the fall of 1898 ?—A. Yes, sir.

Q. With whom did you have any conversation—Haggerty, did you say ?—A. Yes, sir, James Haggerty.

Q. What explanation was given as to why the town should be at Ladysmith ?—A. He said Mr. Dunsmuir did not care to have anybody living there, except fire bosses and engineers, that all the other men he wanted to live at Oyster Bay, or Oyster Harbour it was then.

Q. Mr. Dunsmuir only wanted firemen, bosses and engineers ?—A. Yes.

Q. Any reason given why he wanted that ?—A. I don't remember any particular reason at the time.

Q. Nothing said about water or bad conditions ?—A. The water was poor then. We did discover a pretty good spring in the woods that we got drinking water from, but the water in the wells was poor.

By Mr. Rowe :

Q. How long did you live there ?—A. I was about 9 months there at that time, I believe. My family was in Wellington ; I was batching.

Q. Would you have lived there from choice ?—A. Well, if I just considered myself I would have stayed there but I never considered it a place to take my family.

Q. Why ? On account of the poor water ?—A. Well, yes, but on account of the school. I think the school at Wellington was better. During that time there was no school, it was later than that.

Q. As far as you know, did any of the men own the ground they had their houses on ?—A. No, I don't think there was any ground rent at that time.

Q. None of the men owned any land at that time ?—A. No, as far as I know.

Q. How many men were living there at that time ?—A. Well, there were 8 or 10 houses at the outside, not more than that. There were only about three families I think, three or four families. I mean just at the tunnel. There were some families, I believe at No. 2 slope.

By Mr. Bodwell :

Q. No. 2 is how far from the tunnel ?—A. About a mile, I believe, that is to No. 2.

By Mr. Rowe :

Q. That is farther away from Ladysmith ?—A. Yes, it is about three miles farther the other way.

Q. The works have been moving this way ?—A. Yes, sir.

By His Lordship :

Q. The place called the tunnel is right at Extension ?—A. Yes, when we say Extension we mean the tunnel, that is understood.

Q. You say in 1898 there was no school there ?—A. I think not.

Q. When the men did build there did they buy the ground or rent it ?—A. I think it was usually ground rent paid to Mr. Bramley. There were some members paid outright, I think. I am not certain about that.

By Mr. Bodwell :

Q. Why is it necessary for the firemen and fire bosses to be close to the mines ?—A. Well, I don't know that it is exactly necessary, but in case of an explosion or fire it would be better to have some men on the ground.

Q. Don't they have to go through the mines about 2 o'clock in the morning?—A. Well, there are men at Extension all the time. They stand their eight hours all the time, each shift.

Q. But before the shift goes to work, is not the fireman sent around to look for gas?—A. Yes, they make the rounds for the shift.

Q. What hours are the different shifts?—A. Three, eleven and seven in the morning.

Q. What was the first you ever heard about this union at Ladysmith, when did you hear it, and what took place?—A. Well, I should like Mr. Mottishaw's evidence read. He mentioned my name in connection with that. I was not here at the time.

Mr. Bodwell.—I don't think the notes have been extended yet.

His Lordship.—All I see about it is that 'Lauderbach and I had a talk about organization. I thought it was a hopeless case.'

By Mr. Bodwell:

Q. My recollection of his evidence was, that he said Lauderbach was one of the first to speak to him.—A. Yes, there is the point that I have reference to—that I was one of the first. The only conversation I remember with Mottishaw occurred possibly three days before the first meeting, held on Sunday, March 8. He came to my house, he and his son, for the purpose of renting a room, so he said, and in the course of conversation he told me there was to be a meeting on the following Sunday at Finn's Hall. That was the first intimation I had that there was to be a meeting. The question, I think, that he asked my advice on was, what I would consider the best thing to bring forward, whether to ask for an advance, or bring forward the question of organization. It was discussed between the three of us. I don't remember all, but I am positive that when they left, we were of the same opinion, that the best thing to do was to ask for a 10 per cent advance.

Q. Up to that time you had heard nothing of organization?—A. Oh, it was talked several weeks before that in the train, but I didn't take much interest in it.

Q. Didn't he also want you to be one of three or four to arrange a programme for the meeting?—A. One of them mentioned they would like to get about six men together and draft a programme for Sunday. He asked me to be one of the men. I told him I was sick. I was sick at the time—I was in the house with the grippe.

Q. Was that the real reason?—A. Well, it did. I didn't care to have anything to do with it.

Q. Then, I understand, as far as you are concerned, during the fifteen years you have been working for the Wellington Company, you have never felt the need of a union to support your rights?—A. No, I have never had any trouble, as far as I have been concerned.

SAMUEL LAUDERBACH—Ladysmith, May 18.

Q. You have always made good wages?—A. Never had any complaint about my wages at all.

Q. And any other matters were always arranged between yourself and the persons in charge, without difficulty?—A. Yes. I may have had a little argument about the price of deficiency work, but never had any trouble making a settlement with the mine boss.

Q. And you would have been just as well pleased if no union had been formed here?—A. Well, I was, and am yet, in favour of a local union.

Q. What do you say about the Western Federation of Miners?—A. I don't know much about it; I would rather not give any reason. I am not a member of the organization.

Q. You are not a member—didn't you join?—A. No.

Q. Well, you might say why you didn't join?—A. Well, I can give as one reason, that I didn't think any man should go into a thing that he is not prepared to stand by. I knew there would be trouble, and I did not intend to go into it. I intended to go some place else and get employment. For that reason, I did not think I had a right to go into it.

By Mr. Rowe:

Q. Why did you know there would be a strike, if there was a union?—A. Well, if Mr. Dunsmuir was correctly reported, he had said at different times that he would have nothing to do with it, even before they were organized here. At least, he was so reported in the press.

By Mr. Bodwell:

Q. Did you go to any of the meetings, when Mr. Baker was here, Mr. Lauderbach?—A. Yes, I was at the meeting on Sunday, when Mr. Baker addressed the open-air meeting.

By His Lordship:

Q. The organization meeting?—A. It was the open-air meeting on the green. It was after that they organized.

By Mr. Rowe:

Q. It was after the preliminary meeting, but before the meeting for organization?

Mr. SENKLER.—Yes.

By Mr. Bodwell:

Q. Can you recall any of his remarks at that open-air meeting? What line did he take?—A. No, I could not quote anything he said. I don't think he talked unreasonably; that he understood he was sent here to organize, and that the men were all in favour of it. He didn't make much of a speech. He seemed to speak as though the men were anxious to get into the organization.

By Mr. Senkler :

Q. Did you ever build a house here or in Extension ?—A. I built a cabin in company with my partner at No. 1 to batch in.

Q. You never took your wife up there ?—A. No, sir.

Q. At the time you went up you say there was a remark going around that the town would be at Oyster Bay ?—A. Not a rumour. It was understood positively. At least I had it from Mr. Haggerty that Mr. Dunsmuir said he wanted to make the town site at Oyster Bay.

Q. And for that reason he would like the men to come down here to build ?—A. Yes.

Q. But was there any positive order that if they did not come down here, he would not give them work ?—A. No, I never heard anything of that kind.

Q. It was just a wish of his that they should come down here ?—A. That is the way I understood it.

Q. You say you don't belong to the Western Federation Union here ?—A. No.

Q. You have no very great fear of being boycotted ?—A. No, it has not troubled me much.

Q. Since this strike, or this lockout, you have been working ?—A. Yes. I worked a month at Union.

Q. When did you quit work—when did you come down to Ladysmith ?—A. I came down a week ago last Friday. I quit when the men all quit, after the mines were closed. Last Saturday, or two weeks ago last Saturday was my last shift.

Q. You say at this meeting you had with Mottishaw, you considered the question as to what reason you should advance at the meeting, and you considered the 10 per cent advance was the correct one ?—A. Yes, that is right.

Q. Did you go to the meeting ?—A. No.

Q. Do you know that that was the question raised ?—A. No, I was not at the meeting. I understood so.

By His Lordship :

Q. Has any pressure been used to try and get you to join the union ?—A. No, sir.

Q. Any one ask you to join ?—A. I have been asked.

Q. How many times ?—A. Not more than once, I think.

Q. Has any consequence been stated as to your not joining ?—A. No, I have never understood anything of that kind at all.

Q. Nothing suggested as to your being a scab ?—A. No. I have not been told that to my face at least. I suppose these suggestions have been made; I have heard so.

Q. Do you feel the position at all uncomfortable ?—A. No, I don't.

Q. You don't care what they think ?—A. No, it is what I think of myself; it is not what other men think of me that bothers me.

Q. You say you are in favour of a local union ?—A. Yes.

Q. Why do you object to joining the Western Federation ?—A. Well, I would rather not give my principal reason.

Q. It won't hurt you to give it ?—A. I don't know as it will do me any particular good, but I have been informed on what I consider good authority, that it is controlled by a party I have no sympathy with.

Q. That is to say they hold socialistic views ?—A. Exactly.

Q. You think it better for Canadian workmen that they should maintain control over themselves without having outsiders control them ?—A. I think they are capable of conducting their own affairs, yes.

Q. You understand the chief argument that is used for joining this federation ?—A. Well, I heard it as a matter of common report—that it was the strongest organization, both in numbers and financially.

Q. And that it would be much stronger than a local union ?—A. Yes, so I believe.

Q. That does not seem to have worked out so far, does it ?—A. No.

Q. What do you say as to outsiders coming in and stirring up strikes ?—A. I don't think there has been very much of that. I think perhaps it is overrated.

Q. Have you ever heard of a man called Estes ?—A. I have read of him.

Q. He is an outsider, is he not ?—A. I believe so.

Q. You think the men are competent to judge of their own grievances without outsiders coming in to tell them about it ?—A. Yes, I think so.

Q. Do you think there should be a law to reach these gentlemen ?—A. Well, it would be pretty difficult I should think. I don't know that it would be necessary hardly.

SAMUEL LAUDERBACH—Ladysmith, May 18.

Q. Why ?—A. Well, I don't think there has been very much of that. In this case I don't think the trouble has been brought about by outside agitation. I mean from agitation from across the line. I don't think there is anything like that here.

Q. It is the Nanaimo men who are at the bottom of this ?—A. Well, I am not in a position to state who is at the bottom of it.

Q. What is your opinion ?—A. Well, I know that Nanaimo men always have been anxious to have the men in Mr. Dunsmuir's employ, in a union. That has always been understood.

Q. What do you consider to be the chief advantage of a union ?—A. One of the advantages that we had here. We had a local union here for a couple of years since Extension started and we had an agreement signed with Mr. Dunsmuir for a year. That was one of the things I liked about it. While that agreement was in force you felt sure of a year's work without any bother.

Q. Well, the men could have an agreement of that kind without having a union, could they not ?—A. Yes, I suppose so.

Q. That could be just as satisfactory to the men ?—A. Certainly, but it is not so easily got at. Perhaps it is hard to get the men together. Then, generally with a local union there is a better feeling among the men.

By Mr. Rowe :

Q. Did that agreement make provision for a pit committee ?—A. I think not.

Q. Did it make provision for any kind of committee to represent the union ?—A. Well, the local union had a committee of their own, but they never went around the mine to inspect the places.

Q. They took up grievances ?—A. No.

By His Lordship :

Q. Then in regular unions the so-called pit committee has the right to inspect the places in the mines ?—A. I never saw that in force here.

Q. That is the custom ?—A. It is in some places, I believe.

Q. What is meant by pit committee—a committee of men who have the right to inspect the places and adjust differences ?—A. Well, if there is a dispute about a place that a man could not settle with the boss, the committee went to look at the place, and gave their opinion about it.

Q. The contention of the company is that if they allow a union to be formed, the management is virtually given over to the pit committee ?—A. Well, I am not acquainted with any trouble that ever arises over a pit committee.

Q. Can you give us some definite idea of exactly what their powers are—what rights they have ?—A. I should simply think they would look at the places and report to the meeting, whether they considered the man was being treated right or not.

Q. And if they report that the man is not being treated right, that is ground for a strike ?—A. Well, they take action on it generally.

Q. And then the pit committee sees the manager ?—A. Or the committee appointed by the union—by the meeting.

Q. Have you ever heard of grievances being turned down by the pit committee, or do they always take up grievances ?—A. Well, we never had much experience with a pit committee around Extension, and I never worked much in Nanaimo. I believe they had a pit committee there, but I don't know much about the working of it.

Q. What are the disadvantages of a union to the men, that you know of ?—A. I have seen in some cases where some unreasonable men would get control of affairs, they would run things to extremes. That is about the only disadvantage that I know of.

Q. And if that is the case, better not have a union ?—A. Oh, no. I think the men are reasonable enough as a general thing to conduct the affairs without trouble.

SAMUEL LAUDERBACH—Ladysmith, May 18.

Q. You think on the whole that it is in the interests of the men to have a union?—A. Yes.

Q. What do you say as to the interests of the employer?—A. I believe, for instance, that if our old union had been in force here that we would not have had this present trouble. We would have had an agreement signed for a year, and there would have been no occasion for this trouble. That is what men usually like, as I understand it—an agreement signed for one or two years for a certain price, and they don't expect any change during the life of that agreement.

Q. What became of that union?—A. The men were careless about it. They let it die of their own accord, I think.

Q. Any action taken by the management?—A. Not that I know of.

Q. I suppose no one has a copy of the agreement?—A. I don't know of any.

Q. When the men let it die that would indicate not much of a desire for a union?—A. Well, a great many men were living down here at Ladysmith, and the headquarters were at Extension. That was one of the reasons, I think, it died out.

By Mr. Rowe:

Q. You say that Mottishaw went to you about renting a room?—A. Yes, he stated that as his reason.

Q. Do you mean for a meeting?—A. No, for a daughter of his who had been married.

Q. What reason did you give him for asking for an advance of ten per cent?—A. Oh, it was generally talked that we should have an advance of ten per cent. The duty had just been taken off 67½ cents a ton, and it was the general opinion.

Q. What reason did you give against unionizing?—A. The reason was we thought we might have trouble over it. We thought if we went coolly and worked for an advance we might get it.

Q. You say you are against the Western Federation of Miners?—A. Yes.

Q. You say you would not join a union of that Federation?—A. No, I have no intention.

Q. Supposing the union won this fight, would you join it?—A. No.

Q. Have you heard any general complaint among the men about having to live at Ladysmith?—A. Well, no. Certainly there was talk among the men at Extension who did not care to leave, but a great many men came of their own free will. That is before this last big move. I thought they came of their own free will.

Q. You came here of your own free will?—A. Certainly.

Q. Would you have come under compulsion?—A. That is a pretty hard question. I hardly think I would. If I did not care to live here I had the privilege of quitting, and I suppose I would have done that rather than go against my will.

By His Lordship:

Q. You say you were at Union just before they struck up there. Were you at a meeting held by miners there?—A. I was only at the open meeting that Mr. Baker addressed there.

Q. Tell us the substance of his remarks?—A. I could not tell you a great deal of what he said.

Q. Tell us what you can recollect?—A. I recollect one thing he said that I thought he was mistaken. He told the men that they were practically the last camp without the pale of the Federation, and I understand the state of Washington is outside of the Federation.

Q. He didn't refer to British Columbia?—A. No, it was just in general terms that he used the expression.

Q. Did he say what aid the Federation would give if they went on strike?—A. I never heard him make any statement of that kind. I never heard him say that the Federation would support them. I didn't hear him make any statements of that kind.

Q. You were there when the union was formed at Cumberland?—A. Yes.

Q. Were you invited to join there?—A. No, I was never asked to join.

Q. How did Baker come to explain his presence there?—A. He stated he came there to organize. There was some trouble in the meeting. That is, some of the men wished to postpone the vote on the question for a week. He stated that he came to organize, and that he was going to organize a minority of the men.

Q. Was the question as to whether there should be a union submitted to a ballot, or was it an open vote?—A. I don't know that there was a vote taken on that. Not while I was there.

Q. All those who were opposed to joining the meeting were asked to retire, that was it?—A. Yes, that was it.

Q. What proportion of the men retired?—A. Very few, only four or five, I think.

Q. Out of how many ?—A. There were possibly 150 in the hall.

Q. That was hardly a fair way of putting the question ?—A. It put a man up against it pretty hard.

Q. If it had happened to be a ballot, there might have been a different result ?—A. Yes ; or if it had been left for a week, I think there might have been a different result, but the question was forced right then.

Q. Did Baker make any allusion to any other strikes that were on in the province at the time ?—A. Not at that meeting in Cumberland.

Q. At any other meeting ?—A. At this meeting here he made some allusion to strikes—a strike in California, some mill or smelter there that had been on strike for some months.

Q. Did he made any allusion to the railway strike at Vancouver ?—A. No ; I don't remember.

Q. Or to the Fernie strikes ?—A. No ; I don't remember him mentioning the Fernie strikes.

Q. You say the men went out at Cumberland—how many went out on strike ?—A. I could not give you figures. I suppose 200 white men, or in that neighbourhood.

Q. How long were they out on strike ?—A. I believe they are out yet.

Q. The majority are still out ?—A. I believe so—the white men.

Q. Can you tell us what date Baker went up there—what date that meeting was held ?—A. About the first Sunday in April.

Q. Was there any communication received up there from the meeting here ?—A. There was some communication read in the open meeting, before Baker addressed, from this union.

Q. Was it a resolution asking them to strike ?—A. No ; I think it was asking them to form a union, or join the union, or something of that kind.

Q. Your recollection is that it was a resolution asking them to form a union ?—A. Yes ; I could not hear the correspondence that was read. I was in the back of the hall, and the man read very low, but it was something to that effect, asking them to form a union, or assist the men here. Something about having sympathy with the men here.

Q. Was that read before or after Baker spoke ?—A. It was read before Baker spoke ; just at the beginning of the meeting.

Q. How long did Baker talk at that meeting ?—A. Not a long while, probably 15 minutes.

Q. What do you say about the best way of settling strikes ?—A. Well, I think a public inquiry is a very good thing.

Q. Anything else ?—A. For instance, if there is a public inquiry and either one of the sides object to it, public opinion generally settles the matter if it is drawn out for any length of time.

SAMUEL LAUDERBACH—Ladysmith, May 18.

By Mr. Rowe :

Q. In that agreement you had with the Extension union, who signed on behalf of the men ?—A. A committee of the men who went to interview Mr. Dunsmuir, I believe, signed it.

Q. Did they sign on behalf of the union ?—A. I would understand that.

Q. What was the union called ?—A. I cannot tell you that.

Q. I wish we could see that agreement.

By Mr. Bodwell :

Q. When was that agreement made ?—A. The last agreement must have been made about two years ago now.

Q. I suppose there is a copy in the office here ?—A. I expect so.

Mr. BODWELL.—I think we will be able to get a copy of that agreement.

THOMAS MCMILLAN, sworn:

By Mr. Bodwell:

Q. You are living at Ladysmith just now ?—A. Yes, sir.

Q. Where did you live before you came here—where did you work?—A. In Alexandria the last.

Q. And before that?—A. South Wellington.

Q. How long were you in South Wellington?—A. About a month.

Q. And before that?—A. Wellington.

Q. How long did you work there?—A. In the neighbourhood of twelve years.

Q. How long, altogether, have you been working directly for this same company?—A. In the twelve years since I came, I have worked for this same company.

Q. Have you ever belonged to a union before you joined this Federation. You did join, didn't you?—A. Yes.

Q. Did you ever belong to a union before that in this country?—A. No, sir.

Q. When did you join the Federation—how long ago ?—I was initiated about three weeks ago, but my name was in about two months ago.

Q. Were you at any of the meetings?—A. No, sir.

Q. Did you get along all right before you were a union man?—A. Yes, sir.

Q. I suppose there were questions coming up that had to be settled?—A. I always tried to settle my own grievances.

Q. And were always able to do it ?—A. Yes, sir.

Q. Then, why did you join the union?—A. Well, I could not hardly tell you. I didn't give it much thought. I was away, down the line, enjoying myself. When I got back, every man had joined, and I thought it left me by myself. I sent in my name—I was in doubts as to whether they would take me—and they accepted it. I should have been there one meeting sooner, but they had too much business. They told me to come the next time—they could not attend to me.

By Mr. Rowe:

Q. Why were you in doubt?—A. Because of my not joining with the rest.

By Mr. Bodwell:

Q. Did you work at Extension?—A. I worked in the tunnel and No. 2.

Q. Did you live at Extension at any time?—A. No, sir.

Q. Why not?—A. Well, I would not like to live there at all.

Q. Why would you not like to live there?—A. Well, I like to live by the water. I don't like to live there at all. I had people—my own neighbours—who asked me to go up and be neighbours, and I said I would not move unless I had to.

Q. This was your free choice—coming to Ladysmith?—A. Yes, sir.

By Mr. Rowe:

Q. Is Wellington beside the water?—A. Only about two and a half or three miles.

By Mr. Bodwell:

Q. What would you say, speaking of your knowledge of things, would be the general opinion of the men? Would they just as soon live at Ladysmith as Extension—the bulk of the men?—A. I think, if the thing had been put to a vote in the whole mines, the Ladysmith men would have carried it.

By Mr. Rowe:

Q. That is, you mean the men living at Extension, that a majority of them would have voted to move to Ladysmith?—A. No, all the men in the mine—if all the parties had been put together.

Q. There would have been a majority in favour of Ladysmith?—A. Yes, sir.

By Mr. Bodwell:

Q. Has there ever been any trouble with the men who did not want to work with Mr. Dunsmuir? There has always been work at Nanaimo and Northfield, and places like that, for men who do not care to work for Mr. Dunsmuir?—A. I think so.

Q. No hardship on them—they could always find work?—A. I always find men travelling back and forth.

Q. So the men who don't want to live at Extension could go to Nanaimo and get work?—A. I have known men to go from Extension to Nanaimo, and Nanaimo men come to Extension and get work.

Q. I suppose you don't profess to be an expert on unions—you would rather go fishing?—A. I can live without it, and I can live with it.

By His Lordship:

Q. If it had been put to your vote, would you have had a union formed here, or would you not?—A. No, sir.

Q. You don't see the need of it?—A. No, sir.

Q. You feel more freedom being without a union than in it?—A. I always like my own freedom. I told the men I would not be compelled to join it, or not be kept from joining it.

Q. But, under the existing circumstances, you thought it wise to join?—A. Yes, sir.

Q. I suppose if you had not joined it would have been made uncomfortable for you?—A. I don't think it. I have not many enemies among the miners that I am aware of.

Q. What was your object in joining?—A. Well, I have never given it much consideration at all.

Q. You don't really know why you joined?—A. No.

Q. How much assistance have you had from the Western Federation since you joined?—A. I believe there was an order lying in the house for $3.20.

Q. How much would you have made in the time you have been out?—A. The time I have been out, oh, about $300.

Q. That is not a very good speculation?—A. No.

Q. I suppose the other men are out similar amounts, between $200 and $300?—A. There will be some men out as much as I am—some not so much.

Q. You see no chance of getting that back ?—A. Never.

Q. Can't get it by a raise of wages ?—A. Don't expect it.

Q. Did you ever hear Mr. Baker talk on the subject of unions ?—A. Never did.

Q. Ever have a talk with Mr. Shenton ?—A. Don't know the gentleman.

Q. Did you attend the meeting here which asked the union men to come out ?—A. No, sir.

By Mr. Rowe :

Q. Did you say you lived at South Wellington ?—A. Yes, I batched there about a month.

Q. Were there some men living at South Wellington who were compelled to move to Ladysmith ?—A. No, I cannot say. I don't interfere with any person's business at all. I have heard it talked over, but I could not say whether it was so or not.

Q. You didn't know of anyone who was boarding in Ladysmith and working at the mines—his family living at South Wellington and he working here ?—A. Yes, there were cases like that.

SAMUEL MOTTISHAW, JR., sworn.

By Mr. Bodwell.:

Q. Were you the secretary of the meeting at which the request to the union miners was passed ?—A. Yes, sir.

Q. Any minutes kept of it ?—A. I am the financial secretary—not the recording secretary.

Q. Who is the recording secretary ?—A. Joseph Jeffries.

Q. Where is he ?—A. In Ladysmith, I believe.

Q. Will he have the minutes of that meeting ?—A. I expect he will.

Q. There were minutes kept ?—A. Yes.

Q. Do you remember what was done ?—A. You mean with regard to the resolution asking the men at Cumberland to go out ? There was a resolution of that description passed, asking the men at Cumberland to come out, and I was instructed to write to them, but I did not ask them to come out.

Q. You did not do it ?—A. No.

Q. Any reason for that ?—A. I wanted a little more information from Mr. Baker. I did not like the idea of taking the responsibility on myself of asking them to come out.

Q. Was it Mr. Baker who brought up the question of asking them to come out ?—A. No, sir. I could not say who was the person who made the resolution ; I could not say that.

Q. What did Mr. Baker have to say about it ? Did he speak to the resolution in the meeting ?—A. Not to my knowledge ; he may have, but I don't remember.

Q. You say you wanted some more information from him—what kind of information ?—A. With regard to how it was done from headquarters.

Q. Did you speak to him about that ?—A. Yes. He said he would inform the headquarters of the resolution after it had been passed, and await a reply. Before the reply came, the union went out of their own accord.

Q. As a matter of fact, no official notice was sent to this lodge at Cumberland ?—A. No.

Q. Any telegrams sent ?—A. Not to my knowledge, no.

By Mr. Rowe:

Q. I understand they came out on their own grievance ?—A. As far as I know.

By His Lordship:

Q. That cannot be so, Mr. Mottishaw, because Mr. Lauderbach said there was a communication read at this meeting?—A. There was no communication from me.

Q. It might not have come from you, it might have been Baker himself.

Mr. LAUDERBACH.—I said the communication was read at the open meeting on Sunday, before they organized at all. That was a month before they came out.

HIS LORDSHIP.—But you mentioned something in your evidence about sympathy?

Mr. LAUDERBACH.—It was something about forming a union, as there was nothing said about strike. That was before the men were organized.

By His Lordship:

Q. There was a resolution passed, asking the men to come out at Cumberland?—A. Yes.

Q. You were asked to send that, but didn't ?—A. No.

Q. It seems to me, the recording secretary would be the proper person to send that information?—A. Well, I always did the correspondence.

Q. Are you sure he did not send one?—A. I don't know, but I don't think so. He never did any corresponding for the union—that was left to me.

Q. How many people were there at that meeting?—A. I should think about 300.

Q. When was it held?—A. I could not give you the exact date.

Q. About when?—A. I have no idea as to that.

Q. Was it passed by a standing vote, or by ballot?—A. By a standing vote.

Q. Was it unanimous?—A. Yes.

Q. How many people spoke before the resolution was put?—A. I should think about ten or twelve. There was quite a discussion on the proposition.

Q. You say Mr. Baker was present?—A. Mr. Baker was present.

Q. What did he have to say about it?—A. To my knowledge, I could not say what he had to say. I don't think he spoke on that question at all. He left it with the men to deal with as they thought best.

By Mr. Rowe:

Q. About how long ago was this?—A. I think, somewhere about two or three weeks before the union came out.

By His Lordship:

Q. What did Baker speak about?—A. Well, I could not even tell you that. I cannot remember what he did speak about.

Q. You were not at all interested in his remarks ?—A. Well, to some extent I was. I could not really say what he did speak about. Of course, he discussed the condition of affairs—not a very long speech.

Q. You felt very little interest in what he said ?—A. Well, yes.

By Mr. Bodwell :

Q. Did he advise the men at any of these meetings to try and settle their difficulties here with Mr. Dunsmuir ?—A. Yes, he advised them.

Q. On what lines ?—A. On recognition of the union. He advised the men—of course, he did not dictate the strike in any shape or form—and he always advocated the men making a settlement.

Q. But he always told them not to settle unless the union was recognized ?—A. Yes, that is so. He wanted recognition of the union. But he never interfered with

the men if they thought fit to use their own opinion, never tried to deviate the men from their opinion in any shape or form.

By His Lordship :

Q. Were there any people to talk against this resolution ?—A. Well, I think there were about two talked against it.

Q. What were their reasons ?—A. Their reasons were if the men of Cumberland had grievances of their own, they should be ruled by those grievances, and act on their own responsibility.

By Mr. Rowe :

Q. There was objection to the idea of a sympathetic strike ?—A. Yes.

By His Lordship :

Q. What was the reason given in favour of the resolution ?—A. That a strike there would help us considerably down here.

Q. It would force the employers ?—A. Yes.

Q. I suppose you are in communication with these people up there from time to time—I mean the union here ?—A. I did send one communication and a copy of the 'Miners' Magazine,' with the directory of what different locals are in the magazine. I sent them a communication authorized by this local, expressing our sympathy with them and congratulating them on forming an organization. That was the full text of the communication. That is the only communication I have sent to Cumberland.

Q. You have been having communications with headquarters at Denver recently about assistance ?—A. Yes, I have had one or two about assistance.

Q. How much did you ask these people for ?—A. Fourteen thosand dollars a month.

Q. With what result ?—A. I have no definite answer back yet.

Q. When did you send the telegram ?—A. Last Saturday, on May 16.

Q. When you say definite answer—have you had any at all ?—A. Yes, sir ; they are awaiting the arrival of Mr. Baker at Denver.

Q. How much money has the Federation given to these people up to date ?—A. $790. There is also a draft for $1,000 on the way.

Q. How long has that been on the way ?—A. It has not been on the way long, or I suppose it would have reached here.

Q. My impression is that it was on the way when the last sittings were here ?—A. Well, it might have been.

Q. That is still on the way, then ?

By Mr. Bodwell :

Q. Won't they have a pretty heavy call from Cumberland as well ?—A. I should think so.

Q. Do you think their call will be as large as Ladysmith—I mean supposing they ask the same proportion of wages, would the amount be as large ?—A. No, I don't think so.

By Mr. Rowe :

Q. What is the basis of computation ? How did you arrive at the sum of $14,000 ?—A. By giving a single man $16 a month; $4 for each child. If a married man, $8 for his wife and $16 for the husband.

By His Lordship :

Q. Can a man live on $16 a month ?—A. Well, he cannot board on that ; he might batch it on that.

SAMUEL MOTTISHAW, Jr.—Ladysmith, May 18.

Q. What is going to be the consequence if this money is not forthcoming ?—A. Well, now, I could not say that. It is for the men to use their own opinion as to what they will do if the money is not sent.

Q. I suppose the only thing they can do is withdraw from the Federation ?—A. Well, without they have a pretty good bank book in their hands.

By Mr. Rowe :

Q. Well, they joined it so they might have financial assistance, did they not ?—A. Well, personally, for myself, I did not join it for that at all. Of course, I had really no intention of joining it. I didn't intend to stay here, because I was thrown out of employment, and I didn't see any use of my staying here. But finally, after the resolution of the men that they would stand by any man who was discharged for taking an active part, I was bound almost to stay here. It would not look right for men to come out in sympathy with men and for me to go away and leave them.

By Mr. Rowe :

Q. I understand the men, as a whole, thought they would be stronger by joining the Western Federation of Miners ?—A. Well, that was the idea.

Q. Well, if that assistance doesn't come, the ground of their preference for that Federation would be removed ?—A. I should think so.

Q. Then it might be said in making a selection of the different unions, they have not chosen wisely ?—A. Well, of course they did not know the consequences.

Q. So that they did not accomplish the object that they sought to accomplish by joining the Federation ?—A. Well, not so far.

Q. I am assuming, of course, that the equivalent of their demand is not granted. So there would be nothing to be hoped for in retaining that relationship ?—A. Well, personally, I cannot see whether there will be anything at all, because a man has got to live, but at the same time I do not see where the Western Federation is going to do anyone any harm.

Q. It is taxed beyond its powers, we will say ?—A. Yes.

Q. But was it not the impression of the men that it was a strong financial institution ?—A. Well, I could not say. I heard remarks myself that there was a large amount of money behind it. But one often hears remarks that are not true.

Q. Have you had any definite assurance from the Western Federation that you will get any money ?—A. Only the telegram I got to say that $1,000 was on the way.

Q. There was no implied or real undertaking to furnish you with anything ?—A. Apparently not.

Q. And you do not know where you got the impression that they would ?—A. Well, I never had that impression. I didn't look for it. I was the same as anybody else. I had to live, but as regards joining the Western Federation for the financial benefit, I didn't do that.

Q. When were you told that this draft for $1,000 was sent—you say you got a telegram ?—A. I think it was a week to-night, or a week to-morrow night; I would not be quite positive.

Q. From Denver ?—A. Yes.

His Lordship.—Didn't you tell us at the last sittings that this $1,000 was promised ?

Mr. Rowe.—I think it was Mr. Baker who told us that $790 had been given, and that he had asked for $1,000.

Witness.—I suppose that would be the $1,000.

By His Lordship :

Q. I suppose the men would have been better off to have drawn $70,000 out of the company for those two months ?—A. I think so myself. What a man loses it will take him a long time to gain.

Q. Would it not have been a good thing to have inquired into the Western Federation before joining ?—A. Well, the men seemed to think it was all right, and would be a good thing.

Q. Why did you select the Western Federation ?—A. Because it was thought to be the strongest organization.

Q. Did the men examine the constitution before joining it ?—A. I don't think they did.

Q. Do you think the men have the right to organize, and that it is their interest to do so ?—A. I think so.

Q. Do you think it is likely to be any damage to their employers to have them do so ?—A. Well, if the body of the organization and the employers can agree, I think it will be a benefit to both of them, but, of course, if they cannot agree, that is a different problem altogether.

Q. Don't you think a local union would be quite sufficient for all purposes ?—A. No, I don't think it would.

Q. Experience has shown that the Western Federation is not of much advantage, so far at all events ?—A. That is a certainty.

By Mr. Rowe :

Q. In making this estimate upon which you based your request, you put a figure that you thought it was necessary to supply the bare necessities of life ?—A. Yes.

Q. Not an estimate that could stand any reduction ?—A. No, I don't think it could stand any reduction.

Q. Would this be sufficient to enable men to pay off the instalment on their property ?—A. A single man who was paying $12 a month for a house could not.

By His Lordship :

Q. There was no inquiry made as to how far the Western Federation would assist them before they joined ?—A. I made none whatever.

By Mr. Rowe :

Q. Have you heard of any men having trouble in regard to the instalments on their houses, purchased from the company since the strike began ?—A. No, sir.

Q. As far as you know there has been no pressure ?—A. As far as I know.

By His Lordship :

Q. How long will the men be able to stand out before they get this $14,000 a month ?—A. It all depends on how much they have of their own.

Q. How long do you anticipate they will be able to stand out ?—A. Well, I could not say. I have not given that my personal attention, as to how the men are fixed.

Q. Well, that is a subject of frequent conversation, as to how long they can possibly stand out ?—A. It is a subject of frequent conversation as regards money coming in. I have heard men say they did not know what they were going to do if there was nothing coming in. Of course, that is a matter for their own consideration.

By Mr. Rowe :

Q. The circumstances are such, however, that a man would appear to be justified in seeking work unless he got at least $16 a month ?—A. Yes.

Q. Would a man be blacklisted if he did ?—A. He would not be looked on with favour.

SAMUEL MOTTISHAW, Jr.—Ladysmith, May 18.

By His Lordship :

Q. It would be a pretty big order for the Western Federation to blacklist all these men here, wouldn't it ?—A. Yes, a pretty big order.

By Mr. Bodwell :

Q. And Cumberland too. How can the blacklist affect you very much ? They have no union in the other coal mines, except Fernie. It could not affect you in the United States, could it ?—A. Well, I could not say that I am sure.

Q. Would that prevent you getting work at Nanaimo at any time if you were blacklisted ?—A. Oh, I don't think so.

Q. I don't see where they can hit. What power have they ? Supposing you withdraw, what could they do to you, how could they hurt you ?—A. I don't suppose they would give us anything.

Q. They are not giving you anything, anyway; but outside of the money question, supposing you withdrew now from the Western Federation ?—A. I don't know really the workings of the headquarters, what system or method they have in dealing with cases of that kind.

Q. Suppose the miners were to say, under the constitution as it stands to-day, we have decided to stand as we were before and give up the idea of the Western Federation, I don't see what harm they could do you ?—A. There may be some method we don't know anything about.

Q. You talked over that subject with Mr. Baker ?—A. No.

By His Lordship :

Q. Have the men ever considered the question of contribution from each man in the event of large disputes in the western states ? For instance, it is probable that the whole state of Colorado will be on strike. Have the men ever considered how much they will be called on to contribute to that ?—A. I don't think they have. It is quite likely we would be asked to contribute to any strike on the other side, the same as we are here.

Q. Well, if the men lose a good portion of their time here, and have to contribute to strikes in the United States, they won't have very much money at the end of the year, will they ?—A. Well, no, they won't.

By Mr. Rowe :

Q. Have you ever computed how much $14,000 a month would be from the alleged membership of the Western Federation ?—A. No, I have not; I don't know the total amount of members in good standing.

Adjourned.

NANAIMO, May 20, 1903.

S. M. ROBINS, sworn :

By His Lordship :

Q. How long have you been connected with the Vancouver Coal Company, Mr. Robins ?—A. About forty years.

Q. In what capacity ?—A. First in the capacity of secretary, and then as superintendent.

Q. How long as superintendent ?—A. About twenty years.

Q. How long has any union been in existence among the men ?—A. A completely organized union, I think, about twelve or thirteen years, but there was a semblance of a union from the time I came here, twenty years ago.

Q. What has been your policy with respect to unions ?—A. I have always recognized the union. I may add one word to that—that in the early days before the union was completely organized I urged the men to form a union.

Q. To what union or order did these men belong when you were superintendent ? —A. The title of the union was 'The Miners and Mine Labourers' Protective Association.'

Q. Was this a union by themselves, or was it connected with any other labour organization ?—A. I am not aware that it was connected with any other organization, though I believe, on recalling the circumstances, that there was some connection—I don't think it amounted to affiliation—with the Knights of Labour at an early stage, but I have not heard anything about that for a very considerable time.

Q. What was the average number of men belonging to the union ?—A. It varied very greatly. I should say, when the union was first organized, not quite 1,000 men, but afterwards it was considerably more.

Q. Were all your employees union men ?—A. Not all belonged to this organization. This organization comprised the men working underground—not surface men.

Q. How many surface men would there be on the average ?—A. From 100 to 150 on an average; at times many more than that.

Q. These men were not union men ?—A. They did not belong to this. They had something which was termed a club more than a union, but to all intents and purposes I should say it was equivalent to a union, though I don't think they were organized.

Q. It was a purely local organization ?—A. Yes, purely so.

Q Were there any non-union men below ground ?—A. Not one. It was part of our agreement when the union was first organized, that we should employ no one below ground who was not a union man.

Q. Could we obtain a copy of that agreement ?—A. By all means.

(Witness produces copy of agreement—Exhibit 9.)

Q. Since the inception of the union, how many strikes have you had ?—A. We have never had a strike.

Q. Would you just outline to us the mode of communication between the men and the manager of the mine, regarding any wage difficulty or other grievance ?—A. Under ordinary circumstances, there would be a meeting of the executive of the union and myself about every six months to discuss general questions.

Q. Just at that point, Mr. Robins, what do you mean by general questions ?—A. Specified, perhaps I should have said—whether the time would admit an advance in wages, or whether we thought there might be any grading or reduction. I used to refer—I think the union did also—to the condition of the market, and I was always very pleased to give them all the information that I possessed. The executive being a small body——

Q. How many ?—A. They varied from eight to twelve. And having the confidence of the general body of the miners, I used to go into details that I would hardly have cared to discuss in public with the union in general. I should not have wanted these, myself, to have become public property.

Q. Then the basis of your relationship was mutual confidence ?—A. Absolutely so, and that confidence, I think, was unbroken from the first to last.

Q. In discussing these matters, did you ever allow them access to your books of account, or anything of that kind ?—A. On one special occasion when we had a difficulty in regard to the working of the mine, I found it was very difficult to show the men what the exact cost of producing the coal was. My figures that I submitted to a committee of the union— may mention that it was the Northfield union because it was

more or less distinct from the Nanaimo union—the figures I submitted to a committee of that union they thought could not possibly be correct, and they apopinted some members of their own branch union, and members of the Nanaimo union, to examine the books—the books of wages and cost, I should say. The result was that it confirmed my figures, and the question was settled accordingly.

Q. Was the Northfield mine ever closed on account of any demands made by the men ?—A. Not absolutely on that account. The coal was a thin seam, very difficult to mine, and we found that even on the wages we had consented to pay the men, that the mine could not be worked at a profit.

Q. In your management of the mine, was it left to your discretion as to what dividend you would try to work out of the mine for the shareholders ?—A. That was not in my discretion.

Q. A fixed dividend was given you to work up to ?—A. No; for years, in fact when the market was exceedingly depressed, we scarcely paid any dividend, but we paid an average of about 5½ per cent, bad times and good.

Q. I mean the shareholders left it in your discretion as to the fixing of wages ?—A. In regard to wages, yes.

Q. That would be practically leaving it to your discretion as to what dividend you would provide ?—A. It would result in that way, but it was not put that way—that I should fix the dividend.

Q. In these discussions that you had with the men, did they ever consent to a reduction of wages ?—A. Most assuredly so. On one special occasion, I may mention that the business of our principal market was so utterly demoralized that it was almost impossible to dispose of any coal at all—when this matter was clearly explained to the men, in a mass meeting of the union, they voluntarily agreed to accept a reduction of twenty per cent without a single dissenter.

Q. Did they have any promise from you as to how long that would last ?—A. No. One condition voluntarily made on our part was that the officers would submit to the same reduction as long as the men submitted to theirs. In a month after we revised the situation—revised the figures, I should say—and the twenty per cent was made ten per cent, and that continued in operation for six or seven years until the market justified reverting to the old figure.

Q. During that time did they wait on you with a number of demands, to try and get an increase—in that six or seven years ?—A. I think, now the question has been suggested, but I could hardly put it a number of times. When we had our half-yearly meeting the question was asked at the time, if we could afford to revert to the old figure, but it was never, in any sense urged upon us in the face of the statement I made to the executive committee.

Q. And you did have half-yearly meetings to consider wages ?—A. Yes, and these half-yearly meetings during the latter part of this period I mention, during which the reduction was in operation—these half-yearly meetings were arranged the six months' contract, a renewal of the agreement for another six months, so that there was no request in the meantime for any change in the situation whatever.

Q. How long would these meetings last on the average ?—A. Say an hour or two. Sometimes other matters would be discussed at these meetings.

Q. What other matters besides wages did you consider with the executive ?—A. Matters in regard sometimes to the methods we adopted in regard to the working of the coal. They were more in the nature of conferences than arguments between one side or the other.

Q. At these half-yearly meetings ?—A. Yes.

Q. Did you have any meetings besides the half-yearly meetings ?—A. My answer to that would come within the scope of your question just now, my Lord, that is, that generally as to the operation of the union, if any matter went wrong in the mines, in the first instance it would be adjusted by the underground boss, as he is termed—the

overman would, perhaps, be the proper term—between the overman and the individual miner who had the grievance. If it were not adjusted between those, then it would be brought to the notice of the underground manager. Then if the matter was not amicably settled, probably the committee would meet me.

Q. How many times would this occur during the year on an average ?—A. Sometimes not at all in a year, and very infrequently at all times.

Q. You were not always engaged in meeting committees ?—A. Oh, no, not at all. The men made it a point of honour to try and settle their affairs in the earliest stage, and to use their own efforts. They bothered the management as little as possible.

Q. Is there any distinction between what is called a pit committee, and the executive of the union ?—A. Yes, the pit committee is a specially appointed body by the union primarily to examine as to the safety of the mine, both in regard to ventilation and in regard to any method of getting the coal that might be considered unsafe.

Q. That was a separate body from the executive ?—A. Yes, though there was no reason why one of the committee could not be a member of the other.

Q. Would the same men act as a pit committee ?—A. That would remain between the union; they could if they chose. I think they were usually chosen for a year, though I am subject to correction on that.

Q. Respecting differences to be allowed for a poor place to work in—how would those differences be settled ?—A. Generally the scale was agreed upon between the mine manager and the executive.

Q. Are these scales in writing—any of them ?—A. Yes.

Q. Could we have a copy ?—A. I think as a rule they very rarely come before me. That could be more properly found from Mr. Russell, the manager.

Q. Then the scale was agreed on between the executive and not the pit committee ?—A. Between the executive and the manager.

Q. That would be at these half-yearly meetings ?—A. No, that was not discussed at the half-yearly meetings. Sometimes the question might arise, but generally they were settled between the manager and the executive without being mentioned even.

Q. What has been the standard wage for day labour ?—A. Per day—there is on standard wage with a miner; he gets what he earns; that is, paid by the ton.

Q. The same price allowed each man per ton ?—A. The same price throughout the mines, yes.

Q. What would be the wages given on the average in good times ?—A. I don't absolutely know as to that, but speaking off-hand, I could say that would vary from $3 to $3.50; occasionally the wages would be as high as $4 and $5, but that would be under very favourable circumstances for the miner.

Q. Some men would earn more than others, of course ?—A. Yes, of course they would.

Q. What would be the highest point that would be reached in the way of wages by a good miner ?—A. Perhaps in isolated cases the men might make—I have known men make as much as $130 or $140, but that ought to be greatly cut down. That would be a special case entirely, where the coal would be exceptionally easy to mine—would almost mine itself.

Q. An unusual thing ?—A. Oh, very. It should hardly be mentioned at all. I suppose about $85, $90 or $100 a month would be the highest wages that the best men would have in good times.

Q. There was no minimum wage ?—A. Not absolutely, but if a good man working well did not make what we call wages, he would be allowed $3 a day.

Q. That is on account of deficiencies in the place ?—A. Yes, a bad place—a poor place. We have always wanted a miner to earn at least $3, and it would be more satisfactory to us if the minimum were $3.50 instead of $3. A man earning from $3.50 to $4, doing a fair day's work, we should think would be about the right thing.

Q. What were the hours ?—A. Eight hours.

S. M. ROBINS—Nanaimo, May 20.

Q. How long has that been in vogue—the eight-hour system ?—A. That has always been in force practically. Though at one time the men worked eight hours, latterly it is understood to be eight hours from bank to bank.

Q. In fixing these wages, I suppose you were to some extent necessarily governed by what your competitors were doing ?—A. Sometimes we knew what they were paying, and sometimes not. It would be difficult to know what they were paying. I think we were governed by our own view as to what would be fair wages for the miners.

Q. Well, if your competitors used a different class of labour, such as Chinese labour, how did that affect you ?—A. That would most assuredly affect us, and they would be able to compete in markets we could not compete in.

Q. That was the fact, was it not ?—A. That has been the fact.

Q. I have that down elsewhere, Mr. Robins, that it has been a fact that the use of inferior labour by some of your competitors has driven you out of some of the markets ?—A. Yes, it has done so. It is right that I should mention that until 1887 we employed the same class of labour in the mines—Chinese labour.

Q. How did you come to cease employing Chinamen ?—A. By mutual arrangement between our neighbours and the white miners and ourselves. It was an arrangement very skilfully engineered by the white miners. Our neighbours and ourselves were not brought into contact. This occurred after a very sad accident of ours in '87. Although no one, I believe, attributed that accident to the employment of Chinese, but after the accident, in recovering the bodies and doing other work below ground, the Chinese refused to go below. Therefore, the feeling was intensified to endeavour to get these men out of the mines. We have never employed Chinamen in the mines from that day to this.

Q. That is, below ground ?—A. Yes.

Q. How was the arrangement carried out by the other side ?—A. I think they carried it out for a considerable time, and I think all the time at Wellington mines. We are speaking of our neighbours, I may as well mention the name. At the Wellington mines I don't think they ever employed Chinese labour underground until the mines closed. I understand, though, I don't know from my own knowledge, that they were employed at Cumberland. That mine was just in existence at that time, or in a very embryo condition.

Q. And the arrangement was only to include existing mines ?—A. Yes, I don't think the question of future mines was thought of at all.

Q. What is the nature of your dealings with the miners as to their houses and lots ? You have sold the men lots ?—A. Yes; they have always bought our lots in Nanaimo. A fair proportion have done that. A great many of the men do not buy lots or put up houses.

Q. What was the average price charged for these lots ?—A. It varied very much. I think the lowest price was about $150. I don't remember any sold for less than that, and not many at that.

Q. What was the highest price ?—A. Fancy lots—that is, corner lots, and in business parts of the town—on specific occasions I think we got as much as $600 or $800, but very few were sold at that price. The bulk of the lots sold in the miners' residential part of the town would run from $350 to $500.

Q. What terms of payment ?—A. Nominally the terms of payment were one-third down and one-third in a year. I should say one-third in six months, and the balance at the end of the year, but I don't think in one case out of fifty did we insist on these terms, and in fact to-day there are a few lots that were bought fifteen years ago that were not paid for, but very few of these. I only mentioned that to show that we did not use any insisting on payment.

Q. Can you give us how many lots were taken back by the company for failure to pay ?—A. We have taken lots back. Perhaps they came to us and say : 'We cannot complete the purchase; we are sorry we bought the lot; we put so many dollar's worth

of improvements on the lot.' In many cases it would depend on the people themselves. I have taken lots back that way and allowed them for the improvements, but there has been very little of that done. The bulk of people who have bought lots have paid for them, and built comfortable residences upon them. I should add in regard to that, perhaps, in justice to the company, that during the last three years I declined to sell lots on this ground : that the outlook of the market was so gloomy that I thought it was not quite fair to encourage men to lay out money further than had already been done. But they would not be debarred from acquiring land on that account, because there were always private sellers of lots ready to dispose of theirs. That was one of the reasons, to give those who had lots to sell a chance to sell them.

Q. You have sold both town lots and five-acre lots: ?—A. I have been speaking up to this moment of town lots. There are lots termed homesteads of five acres.

Q. About these five-acre lots—they are payable by instalments ?—A. Yes. Perhaps I had better explain in my own way these arrangements. The person taking a homestead—a five-acre homestead—takes it under a lease for twenty-one years. He has the option of buying at the end of ten years. A few of the homesteads in the early days were on different conditions, but the bulk of the homesteads were leased for 21 years with the option of purchase in ten. These lots being adjacent to the town, I was obliged to fix rather a fancy price on the land itself and on the rent, otherwise it would have depreciated the value of city property. People holding city property that they bought of the company years before, for which they would have paid $200 to $400, these lots being one-fifth of an acre. Otherwise, I would have been willing to have sold these lots for something like $50, but if it had been $50 a lot everybody would go to live outside the town limits, and city property would have depreciated instantly. So it was not only that I wanted to do as well for my company as I could, but in fairness to the holders of city lots, I had to fix a very high price on the lots. These were the terms : a rental of half a dollar per acre per annum. That would mean a man taking a five-acre lot would pay the first year $2.50, the second year the same, the third, fourth and fifth years he would pay $2.50 per annum per acre. That would bring his total payments for the first and the second year to $2.50; for the other three years he would pay $12.50 per annum for the whole five acres. After that he would pay $50 per year for his five acres. It was calculated that after the first five years, when he was paying a nominal rental, that the place would be cleared, and that he would be deriving an income from the acreage he had under cultivation. That will explain the matter.

Q. Have there been many of these lots fallen back into the company's hands ?—A. Several have, chiefly on account of the owner.

Q. What was the price at which they were allowed to buy at the end of ten years ? —A. That varied from $125 to $200 per acre, the high prices mostly being land quite adjacent to the city.

Q. Speaking generally, Mr. Robins, what do you say as to your experience with the union, in the way of discipline and management of the mine ?—A. As to interfering with the management of the mine ?

Q. Yes ?—A. We have never experienced any difficulty or friction with the miners as a union, that we might not have experienced had there been no union.

Q. Have there been any threats made, either directly or indirectly, to come out on strike ?—A. I think only on one occasion in the whole period of the existence of the union was anything like a hint of going on strike brought to my notice.

Q. What led to that ?—A. That was by a member of the executive, who was at once called to order by the rest of the executive. That is the only case.

Q. That had not the sanction of the executive ?—A. No, that was just simply by an individual member who was called to order by the rest of the executive. That was, perhaps, more a hint at what the result might be, than a threat. It was not put in the form of a threat exactly.

S. M. ROBINS—Nanaimo, May 20.

Q. The men did not belong to this Western Federation of Miners in your time ?—A. Not that I am aware of.

Q. That has taken place since your time ?—A. It has, yes.

Q. And so you cannot say from experience what the effect is upon a union of Canadian workmen belonging to an organization outside of the country ?—A. No, I cannot.

Q. Can you suggest any reason why they should have joined the Western Federation ?—A. I have not gone into that matter as closely as I should have done, had I been still connected with the company. It would largely depend upon the situation of the foreign union, and I should want to know how its operation has been conducted before I would like to give an opinion upon that. I can see how a foreign organization, if it got into the hands of unscrupulous capitalists or trusts, might be used to injure the industry here, but not necessarily so. It might be used legitimately; it might be used merely to strengthen the hands of a small local union, and as far as it merely did that I, individually, would not oppose affiliation with a foreign union.

Q. Yes, but had you continued manager there would not have been any real good reason for them joining an outside organization ?—A. I presume their reason would be merely that they would feel that whenever any question or difference arose, they could negotiate with greater strength behind them.

Q. But having a satisfactory experience with you for years, what excuse could there be for joining a foreign organization ?—A. I could not say that the men would have an excuse, but I can see that they might be creating safeguards against a condition of things that might arise. I think it has been the experience in England, and I have watched things there a little from time to time—that the affiliation between local unions and unions in another district, has had a good effect upon the operation of unions, but I don't think that with regard to mining unions that they have ever affiliated with a union outside of the country, but the larger body of men that are united in a labour union, of course their voice has much more effect in discussing matters with employers. There is no question about that, and in this country there is no body of men sufficiently large to give strength to the union, and it may be they would find it necessary to associate with outside men. That necessarily, from the men's point of view, would cease, when the population of this country made the numbers large enough, so that in the case of a depression in a single instance, the rest could contribute to the relief of this number.

Q. Supposing this movement to join the Western Federation of Miners had taken place in your time, and you had discovered it was within the power of the executive, situate at Denver, to call out your men on sympathetic strike, what action would you have taken ?—A. That is a very difficult question for me to answer. I should want to know a great deal more than I know to-day in regard to the outside strike, and the position of the men. As a rule, sympathetic strikes do a frightful amount of injury, but all strikes do injury, and we should not contemplate here conditions arising where a strike would be seriously thought of by either the employers or the men.

Q. Suppose you found, on examining the constitution, that socialistic doctrines were promulgated—would you take any action in that event ?—A. No. I should not take action. I should point out to the union the dangers I apprehended, but I feel, and always have, that our workmen are perfectly free to join any organization they please. I might regret it, but I should take no steps in the shape of warning the men that if they did they might not expect employment of us.

Q. That is you would not try to prevent it ?—A. The only way I should try would be to point out to the local union the danger I apprehended in joining a body that I thought was not a satisfactory body.

Q. If the effect of belonging to a foreign body was in large majority to subject your men to the orders of the executive, would that not give you cause for action ?—A. If I understood clearly that the foreign organization was in the position of master

or authority over the local organization, I should consider that the greatest danger of all, but if the foreign organization was merely a body that would refer to the local union, for assistance in case of trouble brought about by the local union, I should not look on that as a cause for interference. If the foreign organization could call out our local body in sympathetic strike whether they themselves had no trouble on hand with the employers at all, then I should warn our men what a dangerous course they were taking, but beyond that I would do nothing.

Q. But if they did go on strike ?—A. We would have to pay for the trouble.

Q. Would you wait until they went back to work, or employ other men ?—A. In my individual case, I think I should wait, unless the thing was prolonged indefinitely, but in an arrangement such as is set forth in that document which you had in your hand—that arrangement between the men and ourselves—there could not be, I think, a sympathetic strike here.

Q. Well, now I understand, so far, that the chief argument that is advanced in favour of permission to join a foreign organization is, in the event of a strike, to prevent the introduction of what is called scab labour from the other side. That is an advantage that workmen use in its favour ? Supposing a system were arrived at by which the local union could have an interchange of cards or affiliation, but should not become in any way subject to their authority, would that not meet all reasonable demands of the men ?—A. I am not sure that I understand the full text of your question.

Q. (Question repeated.)—A. It is a matter outside of the scope of my experience, because we have stated in the first instance that we will not employ outside labour ; we only employ union men. If we had trouble and under that agreement should men come and offer to work for us, I should not have accepted their help. I should have waited to settle the thing with the union.

Q. Leaving your case out of consideration, the ordinary employer, when a strike takes place, will endeavour to procure substitute labour ?—A. Yes.

Q. Their argument is that to join other organizations prevents that. If that could be effected in any other way than by joining these organizations and becoming subject to their authority, would that not meet all reasonable demands ?—A. Presumably it might, but I should not like to pronounce on that. The reason of a demand on the part of men in joining an outside affiliation must be for the purpose of making them a stronger body financially, and if these incidental disadvantages are inseparable in joining that body, that is a misfortune.

Q. It seems to me, Mr. Robins, that if our workmen are permitted to join outside organizations which have authority over them to order them out on strike, that raises a serious question as to how far our industries are liable to outside interference. What I want to get at is this : there is a difference between affiliation and being part and parcel of a foreign body. Under a system of affiliation they get an interchange of cards; that is to say, a bricklayer here, if his union was affiliated with a bricklayers' union in the United States would get all existing advantages, and would be able to prevent the introduction of scab labour ?—A. That operates in precisely the same way in England, where they are able to prevent the introduction of scab labour from other districts.

Q. In England all these unions are subject to a common law. Parliament has power over them, but our Parliament has no power over organizations outside; there is no law which can reach them ?—A. That, of course, is a legal question.

Q. What I want to get at is whether affiliation would not answer all reasonable purposes of organization ?—A. That is a question I should like to think a great deal on, to see the operation of it, and the nature of the relation of the foreign union and the home union before I could say very much about it. I have not gone outside the simple issue of our men joining a foreign union for the sake of getting financial assistance in case of trouble. I think it is a perfectly legitimate method on their part.

S. M. ROBINS—Nanaimo, May 20.

Q. Do you think an employer ought to be left to his choice as to whether he should employ union or non-union men ?—A. I think so; I cannot see how that can be interfered with.

Q. Do you find that the agreement you have entered into compensates you for the surrender of your right to employ non-union men ?—A. I think it has been wholly beneficial to all parties concerned.

Mr. BODWELL.—I see under the fourth clause of this agreement they reserve the right to employ such men as they choose.

By His Lordship :

Q. You see the 4th clause ?—A. Yes.

Q. Has that the effect of giving you the right to employ non-union men ?—A. The first article says we must employ none but union men.

Mr. BODWELL.—The 4th clause must mean the discharge on other grounds.

By His Lordship :

Q. Now, in the event of a strike which cannot be settled by conciliation, what remedy would you suggest ?—A. The case seems to me to be hopeless. I think it is a matter for persuasion by the legislature, or the people in power. We have the New Zealand business ; it would result in a situation something like that.

Q. Would you think compulsory arbitration would be of any service ?—A. No, I don't like it. I cannot say how it would work. I never did like it.

Q. Would you favour compulsory investigation at the instance of the state ?—A. If matters got to a deadlock, possibly that would be a wise step to take, but the only effect of that would be to publish the exact state of affairs before the public at large.

Q. What, in your opinion, are the objections to compulsory arbitration ?—A. I should, first of all, have a very grave doubt of the acquaintance of the board of arbitration with the inner merits of the situation. I am afraid I should not have confidence in a board of arbitration appointed with power to give an absolute award for one side or the other, and, in the second place, I cannot see how the award could be enforced.

Q. Then, in the event of conciliatory methods failing, it seems that the weak party must give in, after a long struggle, which is disastrous to the public ?—A. Perhaps I might say that one or the other would come to their senses, because I think most of these troubles in the history of nearly every strike that I have noticed, has been of something of this kind.

Q. I suppose you are aware that the anthracite strike cost both sides something in the neighbourhood of one hundred millions ?—A. No doubt.

Q. Is that not a state of affairs which should be stopped by the state in some way ? —A. Perhaps had the state stepped in it would have provided some temporary remedy, but I don't think it would have been an absolute cure. There would have been a smouldering fire all the time. Things would have been working most unsatisfactorily. The public might not have known of it, but the parties chiefly concerned would have suffered a great deal more.

Q. How do your men compare on the average with other coal miners as to intelligence ?—A. I have always regarded our men as far above the average in intelligence.

Q. Perhaps that accounts, rather than the system of unionism, for your getting along with them ?—A. I think the chief reason that we have got along so well, that we have had men of character at all times to represent the union. The men have felt a sense of the responsibility of their position.

Q. Well, that would have been the same if there had been no union—if there was simply a committee of the men ?—A. There are ways which, from my point of view, things would not have been so satisfactory. Grievances are very easily known, but a

well organized union will repress anything in the shape of unfair demands. Where there is no union, separate bodies of the men might get together and give trouble.

Q. Then you mean to say there would be cliques?—A. Yes, there might be. Things get ventilated and brought down to business form before they go before the manager where there is a well organized and well managed union.

Q. I suppose it inspires a certain amount of confidence among the men to have a union?—A. Undoubtedly.

Q. And you get the average view of the whole by means of a union?—A. You do that, yes.

Q. Would you favour incorporation of unions?—A. I think it would be good.

Q. This one was incorporated?—A. I think it is incorporated, yes.

Q. Do you think incorporation has any effect upon their sense of responsibility?—A. It would have a tendency that way, undoubtedly.

Q. Have you any reason to suppose that this experience of yours is exceptional—that is to say, it would not work well in other mines?—A. I cannot see under what conditions a well managed, respectable union would not work to the advantage of the owner of any mines. I know of no reason. The reason generally found against a union is that the union wants to boss everything, but I have not found it so.

Q. What proportion of the men in your employ were of foreign nationality?—A. I don't know the exact proportion, but I think we must have about 25 per cent of the total body foreign. Perhaps that is too high a figure. I might safely say from 15 to 20 per cent.

Q. What particular nationality?—A. There are Belgians, Italians and Russian Finns.

Q. Who are the most numerous—the Belgians?—A. I think the Russian Finns, at this moment, but I speak without figures before me. At one time the Italians were the greatest number.

Q. And the other 75 per cent were of British extraction?—A. I think it will be 85, 80 to 85 per cent would be English, Scotch, Welsh, Nova Scotians, and a few Irish—not many.

Q. That might explain something—that there were no Irishmen there?—A. It might, possibly.

Q. Did you ever exercise any control over the men as to where they should live?—A. No, we have no control over the men as to where they should live.

Q. You have had men outside of these mines at Nanaimo?—A. Yes, we have.

Q. At what place?—A. Southfield and Northfield. Southfield includes what is generally known as No. 5, and for a little time we worked at Fairview, but chiefly at Northfield.

Q. Did you allow the men in these mines to live where they liked?—A. Yes, we sold the men lots at Northfield, but did not wish to sell lots at Southfield, the men live so near at hand. In fact, the men prefer to live at Nanaimo. It was a short run. They were taken in rough cars, which the men called Pullmans, but they served the purpose, and there were no complaints about them. At Northfield most of the men lived there. I never heard any complaints about the sanitary conditions at Southfield or Northfield.

Q. Did they live together in huts, or were plans laid out?—A. At Northfield they lived in comfortable houses, mostly along the Wellington road.

Q. Any cases of typhoid up through there?—A. I don't know of any.

Q. When you closed up Northfield did you compensate the men for any loss as to their property?—A. No, that was a thing that has been a grievance with me, as I felt that I had allowed the men to build. I should say some forty or fifty men had bought lots and put up houses. Lots of these have been sold by the men, and some are occupied. They travel back and forth on bicycles and buggies.

Q. Would it be right for an employer of coal mines to prohibit the men from building around the mines ?—A. That depends on the life of the coal. If a short life, I should advise them not to, but if there were other mines in the neighbourhood I should not advise them against it.

Q. If the sanitary conditions were bad, that is to say, no good drinking water, would you discourage the men from building at that place; would you sell them land ? —A. I should certainly discourage them, and I would not willingly sell them land if the place were unhealthy.

Q. How far is Northfield from here?—A. About four miles.

Q. And Southfield?—A. About three and a half. I may say with regard to Northfield, we tried to make a price of $100 for the lots. In certain cases people there took up small lots. There was no reason why we should have closed Northfield. We did not pretend that there was any risk on the part of the men because our men had said there were other mines in the neighbourhood. The Wellington mines were in force, and I thought they would likely last for a generation at least.

Q. The average life of a coal mine in this province is how long ?—A. Depends on the nature of the ground. We have been working at Nanaimo for forty years.

Q. And other camps may give out in five ?—A. I would not like to put a shaft down, unless it was a very shallow one, if I thought it would be only five years. This mine may last for fifty years yet.

NANAIMO, May 21, 1903.

WILLIAM NEAVE, sworn.

By Mr. Wilson :

Q. What is you occupation, Mr. Neave ?—A. Coal miner.

Q. In what mine were you working ?—A. No. 1 shaft.

Q. What company does that belong to ?—A. The Western Fuel Company, formerly the New Vancouver Coal Company.

Q. Are you a member of any body of organized men ?—A. Yes.

Q. To what do you belong ?—A. To the Western Federation of Miners.

Q. The local union to which you belong is a branch of the Western Federation ? —A. Yes.

Q. How long has it been a branch of the Western Federation ?—A. A little over a year.

Q. Formerly the union to which you belonged was a purely local organization with no affiliation ?—A. Well, it was affiliated with the Trades Congress of Canada—the Trades and Labour Congress.

Q. And you preferred to affiliate with the Western Federation of Miners ?—A. Yes.

Q. As being an organization more in touch with the class of labour to which you belonged ?—A. Yes.

Q. For how many years have you been a member of the union, so as to speak of its workings ?—A. Of this present union ?

Q. Of any body of organized labour ?—A. I was a member in the old country before I left there.

Q. For how long ?—A. Thirty years, pretty near.

Q. How long have you been a member of this union ?—A. About twelve years, something like that.

Q. Have you been working here in Nanaimo any large part of that time ?—A. All of the time.

Q. Speaking from your experience as a member of the union, are you able to tell the Commissioners the effect and the result of organization, both upon employer and employed. You are at liberty to put that in your own language. Do you conceive it to be beneficial or otherwise to the employer ?—A. I consider it is a benefit to both the employed and employer.

Q. Can you tell the Commissioner in what way you would conceive it a benefit to the workmen ?—A. Well, I believe it helps them to settle certain difficulties that might cause serious trouble if there were no union.

Q. Can you tell the Commissioners in what way you would conceive it a benefit to the employer ?—A. Well, just about in the same way; by coming together and discussing grievances they can arrive at an amicable settlement.

Q. You think in discussing these matters you have a governing body that deals with the employer on behalf of one organization ?—A. Yes.

Q. In addition to the governing body of the union, do you have committees to regulate or investigate conditions under which men work in different places ?—A. Yes, we have a committee for that purpose.

By His Lordship :

Q. Is that what you call a pit committee ?—A. Yes.

By Mr. Wilson :

Q. Will you tell the Commissioners, if you please, what are the advantages of the pit committee—in what way they operate as between employer and employees ?—A. In the first place, if a man who is working in a place has a grievance, he acquaints the manager or underground boss with the grievance, and if he cannot get it adjusted with him, he then makes his case known to the pit committee, and then the pit committee see the underground manager, and if they cannot decide on the remuneration for the place, they go with the executive and interview the superintendent. After the pit committee does its work, and they cannot arrive at a satisfactory arrangement with the underground management, then it goes out of the pit committee into the hands of the executive committee, and then the executive committee and the superintendent meet.

By His Lordship :

Q. And failing settlement there, what happens ?—A. Then it is taken back to the union—the decision which they arrived at, and they deal with the question.

Q. That is, if the executive and the superintendent are unable to agree, what is done then ?—A. It is taken back to the union, and they decide.

Q. And I suppose, if necessary, they go out on strike ?—A. Well, it seldom comes to that.

Q. At all events, the union would have that right ?—A. Yes, they would have that right.

By Mr. Wilson :

Q. That is, if the grievance is sufficiently serious ?—A. Yes.

Q. So far as your experience goes, has there been anything of that kind in the mines here—you have been working under that system for a number of years past ?—A. Not to cause any trouble like that.

Q. You have succeeded, under a system of organized labour, in bridging over your difficulties without a strike for a number of years past ?—A. Yes, for fourteen years there has been no strike here.

By His Lordship :

Q. For how long ?—A. Fourteen years.

WILLIAM NEAVE—Nanaimo, May 21.

By Mr. Rowe :

Q. There was a strike recently ?—A. I don't call that a strike; it was a misunderstanding.

Q. Tell us about that; what was the trouble ?—A. Well, it was really because they would not allow the 25 cents on the safety lamps, which they had been allowing, and it was just a stop to have that 25 cents paid which had been paid.

Q. How was that strike brought about—by the action of the union ?—A. It was brought about by the management telling the miners that he would not pay longer for the lamps, and they called a meeting and discussed the matter, and thought it would be better to have an investigation into it, and they stopped until the thing was settled.

Q. Did the union give the management notice that unless it was restored by a certain time they would strike, or did they quit immediately ?—A. They stopped shortly after. They did not give any notice, because the management had not given any notice.

Q. As soon as the union met they declared they would quit work until they restored the price ?—A. Yes.

Q. You say they did not give the management any notice because they did not give any notice ?—A. Yes.

Q. Have you any agreement with the management ?—A. Yes, we have an agreement. We had an agreement at that time, but I think the agreement calls for thirty days' notice on either side.

Q. Is it the same agreement as existed formerly between the New Vancouver Coal Company ?—A. The very same.

By His Lordship :

Q. How long did this strike last ?—A. About two weeks or ten days, I think.

Q. There is no provision for notice to the company before going out on strike ?—A. There is thirty days required, I think.

Q. How did you get around that ?—A. Well, we looked at it that he had broken his agreement, and we thought we had a right to ; that if there is any change in the conditions there should be thirty days' notice given by them.

(Agreement—Exhibit 9. Identified by witness as the one worked under.)

Q. You say under that agreement there is to be thirty days' notice before any change ?—A. Yes, that is the understanding.

Q. There is nothing here about wages ?—A. Well, the thirty days' agreement is generally understood by the company and the men.

Q. What is the object of joining the Western Federation of Miners ?—A. Well, we thought we would be a little stronger.

Q. You say this was done about a year ago ?—A. It is not quite a year yet. It is about—it was in last October or November—something like that.

Q. Was Mr. Robins notified of the intention of the men to join the Federation ?—A. I don't think so; not to my knowledge.

Q. There has never been any complaint about inability to adjust wages with him ?—A. Not Mr. Robins, no.

Q. What was the object of joining the Federation in his time ?—A. That is the only thing that I know of—to make them strong. They thought they could not get the support they would need from the Trades and Labour Congress.

Q. Experience had shown them for twenty years that they did not need increased strength as far as he was concerned. Is that not so ?—(No answer.)

Q. Perhaps you can tell us why they needed increased strength; can you tell us that, Mr. Neave ?—A. Why they needed increased strength ?

Q. Why they considered it necessary at that time ?—A. It is always well to be provided with a good strong force.

Q. Why did you support this movement in October of last year rather than any other time ?—A. I could not really tell you why they commenced it; I know that was the wish of the majority of the men in Nanaimo, that it should be done.

Q. How was the question decided ?—A. By secret ballot.

Q. Was there notice given of the meeting to all the miners ?—A. Yes.

Q. It was not a general meeting; it was a special meeting ?—A. Yes.

By Mr. Rowe:

Q. The vote was taken at the pit-head ?—A. Yes, so that every one could vote.

By His Lordship :

Q. It was by secret ballot ?—A. Yes.

Q. What was the majority in favour of it ?—A. I could not remember that from memory just now.

Q. Was it a close vote ?—A. Yes, I believe it was close. I do not think there was much difference in it.

Q. Had there been any discussion of the question at meetings, or was there simply a ballot taken at the pit-head ?—A. Oh, yes, it was discussed during lots of meetings—in fact, not only as to joining that organization, but it was discussed with the advisability of affiliating with other large bodies, the United Mine Workers and so on.

By Mr. Rowe :

Q. Was there much discussion with regard to international affiliation ?—A. Yes.

By His Lordship :

Q. When you say there was a desire to have increased strength, in what way do you mean—that there was a larger body of men working to a common end ?—A. Yes.

Q. I suppose more powerful financially ?—A. Yes, that also.

Q. Has the Western Federation power to call your men out on strike ?—A. I don't think so.

Q. You never considered that question ?—A. Yes, I have considered it myself, personally; I don't think they can call us out.

Q. You understood the position to be that the men here decide if there is any question of strike ?—A. Yes.

Q. And are not subject to the executive from Denver ?—A. There is nothing in the constitution that would lead me to believe we are.

Q. There being nothing in the constitution, assuming that the members at Denver requested you to go out on strike, would the members here feel bound to come out ?—A. They would take a secret ballot on the question.

Q. And assuming that the question was determined adversely to the people at Denver ?—A. They would not come out.

Q. Would the people of Denver have any power, by influence of any sort, to cause the suspension of the branch here ?—A. I don't think so—not if they decided against it.

Q. It would put the people in bad odour with the people at Denver ?—A. It might. If they took it in that light, we would just have to go to some other organization.

Q. You would be quite ready to quit if you thought they were disposed that way ? A. Yes, by an action of that kind.

Q. If the Western Federation asked you to go out on sympathetic strike, would the clause in the agreement about thirty days' notice bind you people ?—A. Yes.

Q. You would have no power to go out without giving the thirty days' notice ?—A. That is as I understand the argeement, yes.

Q. You would consider the obligation of that contract paramount to your obligation to the Western Federation of Miners ?—A. Yes.

WILLIAM NEAVE—Nanaimo, May 21.

Q. Are contracts of that nature subject to the approval of the Federation, such as we have here ?—A. I believe they are.

Q. Is there a clause in the constitution to that effect ?—A. I think so.

Q. Then the freedom of you men to enter into a contract is to a certain extent restricted ?—A. That is already—we were living under that before we joined the Western Federation.

Q. Yes, but the freedom of you people to enter into a contract—not this particular contract—is restricted by your belonging to the Western Federation of Miners ?—A. Well, don't see it in that light. I think we can enter into an agreement here, of course.

Q. You see the contract is subject to their approval ?—A. Certainly.

Q. That means that you are restricted to a certain extent. If they do not approve, what then ?—A. Well, we are not able to stop them; we would not be able to stay with them.

Q. That would be the result ?—A. We would, I think, have to abide by them or withdraw from them.

By Mr. Rowe :

Q. I understood that referred only to questions affecting the constitution, and not to agreements—have you a copy of the constitution ?—A. Yes.

By His Lordship :

Q. Has the constitution of the Federation been read carefully by the majority of the men, do you suppose ?—A. I could not say as to that.

Q. Has the constitution been discussed in open meetings ?—A. Yes.

By Mr. Rowe :

Q. Of course, you didn't retain the constitution you had when you were the Miners' and Mine Labourers' Protective Association ?—A. No, it is changed.

(Witness produces copy of constitution—examined by Commissioners.)

By His Lordship :

Q. Now, I see there is a section here which says any contract or agreement entered into between members of any local union or their employers as a final settlement of any difficulty that may occur between them, shall not be considered valid or binding until the same shall have the approval of the executive board of the Western Federation of Miners ?—A. That is the clause I had reference to.

Q. It is quite clear that the executive of the Western Federation have the power to deal with your agreements with your employers, and that you have not a free hand in the matter ?—A. Well, we settled the other dispute.

Q. Well, but under this section they interfere ?—A. Yes.

Q. It is not considered binding until they approve. Are you not giving up a large measure of freedom when you subscribe to a clause of that sort ? Somebody a thousand miles away is judging for you as to whether the settlement is right or not. Is that not the case ?—A. I don't understand it that way.

Q. Well, what meaning do you give to it ?—A. I understood it thoroughly that we have power to settle our own difficulties at home.

Q. What do you make out of that language—'It shall not be considered valid unless the same shall have the approval of the executive ?' The agreement is so much waste paper if you are bound by an obligation of that order until that approval is got—is it not ? I suppose that must be so if language has any meaning ? Is it not ?—(No answer.)

Q. Now with regard to the present settlement—the settlement of the last difficulty about the 25 cents—was that settlement approved at Denver ?—A. No.

Q. It was never referred to Denver ?—A. No, never referred.

Q. Then which of these clauses are dead letters and which are alive ?—A. When we got the 25 cents we commenced work.

Q. But you take an oath to abide by the constitution, and it says that that agreement shall be binding only when it is approved at Denver, and that evidently is a dead letter or was treated as such. Then I suppose it means this, that the men here are judges whether they will submit anything for approval ?—A. Yes, they are the judges. They are the ones who are affected by the trouble, and I think they are the ones who should judge.

By Mr. Rowe :

Q. I understand, Mr. Neave, that the result of your difficulty did not have the effect of changing the agreement with your employers—the agreement remained the same as before—the employer attempted to change the rate for lamps and you resented it ?—A Yes, it remained the same. We were allowed so much for handling lamps, and he took it off.

By His Lordship :

Q. However, you seem to be the judges whether you will abide by it or not ?—A. I think the local has that power to settle all difficulties.

Mr. WILSON.—Might I be permitted to suggest article 2, section 5.

His LORDSHIP.—The language is plain.

By Mr. Wilson :

Q. I did not understand this as a strike ?—A. Well, we would not call it a strike. It was a stoppage of work.

Q. Was it a strike in the sense that it should be passed upon by the union ? Had your local union formally determined whether they would quit work or not ?—A. Yes, they had decided to stop.

Mr. WILSON.—I did not understand that.

Mr. ROWE.—They did not refer the question to the Western Federation and they did not refer the settlement.

Mr. WILSON.—That was why I suggested it. It does not seem that the central authority has to be appealed to.

His LORDSHIP.—It seems an employer here has to deal virtually with the executive at Denver.

Mr. WILSON.—Yes, and if we may believe that is true we may believe that the executive at Denver insisted on the union at Fernie adopting a course in favour of the employer.

His LORDSHIP.—That does not alter the principle; it is sometimes settled to the disadvantage of the employer.

By His Lordship :

Q. Did you ask the Federation for any assistance in this strike ?—A. No.

Q. Did you communicate at all with the people in Denver about the matter ?—A. The organizer was here, Mr. Baker.

Q. Was he here when the strike commenced ?—A. No, I don't think he was; I think he was at Fernie.

By Mr. Rowe :

Q. When was that trouble—what was the date of it ?—A. I have not got it down; I can't remember the date.

By His Lordship :

Q. Now, this local union severed its connection with the Trades and Labour Congress ?—A. Yes.

Q. What was the reason for that. Can you tell us any reason ?—A. No. I don't know any reason.

Q. Were you in favour of withdrawing ?—A. Well, I was not altogether in favour of withdrawing from them.

Q. Now, you must have heard some argument advanced in favour of withdrawing from them ?—A. I was not here when the question was discussed.

By Mr. Rowe :

Q. Was it necessary to withdraw in order to belong to the Western Federation—could you belong to both ?—A. Well, I could not say as to that; I think we could though.

Q. In fact, I think the regulations of the Trades and Labour Congress won't permit the affiliation of a local body which is not part of an international union, if there is such a union—is that the case ?—A. I could not say as to that.

By His Lordship :

Q. Who organized this branch of the Western Federation ?—A. Mr. Baker, I think.

Q. Was that on the invitation of the members ?—A. Yes, he was asked to come here and organize.

Q. Had there been any communications between this union and the men at Ladysmith relative to organization ?—A. Not that I know of.

Q. The majority of the Western Federation, taken as a whole, are in favour of the doctrines of socialism, are they not ?—A. I could not say as to that. I believe they lean that way.

Q. And that body is affiliated with the American Labour Union—the Western Federation ?—A. Yes.

Q. And the American Labour Union has declared for socialism, has it not ?—A. The Western Federation of Miners ?

Q. No, the American Labour Union ?—A. I don't think the Federation declared for socialism.

Q. I asked about the American Labour Union—it has declared for socialism, and the Western Federation is affiliated with the American Labour Union ?—A. Yes.

Q. Have you ever read the official organ of the Western Federation of Miners ?—A. No, I have seen a copy.

Q. Is that much read among the men here ?—A. I don't know anyone who subscribes for it here.

Q. You don't know anyone who subscribes for it here ?—A. No.

By Mr. Rowe :

Q. Do the union give any guarantee as to promising the circulation of that organ ?—A. It has not been done by this union.

Q. Do they promote its circulation as a matter of fact—do they facilitate subscriptions in meetings and urge members to subscribe ?—A. Not in this union. I never heard of it here.

By His Lordship :

Q. I suppose it is practically impossible for a non-union man to get employment in these mines ?—A. I don't think so.

Mr. Wilson.—The agreement between the company and the union is against it.

By His Lordship :

Q. Where the majority of any men are union men, that practically means exclusion to a non-union man, does it not?—A. Yes, after a little time. They come to work and join the union, just as they can make it convenient to come in.

Q. Would I be right in saying that a great many men join unions because they are in a measure compelled to, I mean from the fact that he would be an object of dislike, but a union man could not get work unless he joined?—A. I would not say that.

Q. You don't think there are many cases of that kind?—A. No.

Q. Do you know of any cases where men have joined from a sense of compulsion? —A. No, I don't know of any; not to my knowledge.

Q. I suppose there are internal squabbles in unions as in other bodies?—A. Sometimes we have a little hot-headed workmen in the mines.

Q. Now, it is often said against unions that the tendency is to reduce the wages of a good man to the level of a poorer man. What do you say about that?—A. I think it is the opposite; I think it is getting the poor man up to the good man.

Q. Then you think an employer is virtually forced to pay a poor man more than he is entitled to be paid, by means of a union? Is that the position?—A. The union man tries to get all he can.

Q. If a poor man is getting more out of an employer than he really earns, the employer has to deduct that amount out of the good man, has he not ?—A. Well, I don't think that is so in these mines here.

Q. You think there are no poor men in these mines ?—A. Oh, yes, but if a man is working by the ton he makes that much more.

By Mr. Rowe :

Q. What is the minimum fixed here ?—A. $3.

By Mr. Bodwell :

Q. That is day work ?—A. Yes.

By Mr. Rowe :

Q. How much coal does a man have to handle to earn that working by the ton ? —A. It is at the rate of 68 cents a ton.

By His Lordship :

Q. You think that is a fair sample agreement between the company and the union? —A. It is probably as good as we can get.

Q. You are always prepared to get more where you can ?—A. It could be made better on both sides.

Q. Could you suggest in what way ? What do you say is the difficulty in it ?— (Witness handed agreement.)—A. Well, there are lots of things we could have on the agreement which we have verbally.

Q. As for instance— ?—A. There are several things we get paid for which are not on here.

Q. It should be fuller as to wages paid ?—A. Yes.

Q. And that notice of any change ought to be put in there ?—A. Yes, in fact, we have an agreement with the management now without being signed. It is more full than that. It is worded a little different, I suppose.

Q. Sometimes it is alleged against unions that the effect of an employer allowing the men to unionize is to virtually hand over the management of the mine ?—A. I don't think it is so.

Q. You think an employer has as free a hand as if the men were not unionized ? —A. Well, he has not such a free hand, but I know of instances where there have been

disputes, and the committee has decided against the men who had the dispute in favour of the company.

Q. The committee decided against the man?—A. Yes.

Q. They have turned down a grievance, and the result is the grievance does not get past the committee?—A. Yes, it reaches the ears of the underground manager. They have gone into the case and found that the man was wrong.

Q. So that the employer is saved from being troubled with minor grievances?—A. Yes.

Q. What do you say as to incorporating unions?—A. I believe in them being incorporated.

By Mr. Rowe:

Q. The present local is not?—A. I think so.

Q. The old organization was?—A. Yes.

Q. It is defunct now?—A. Well, we have never wound it up yet. I guess until we wind up the affairs we are still incorporated.

Q. So you really have two organizations, in fact. Being a member of the old organization was not sufficient to constitute organization in the new organization? Before your members joined the new organization they had to take the oath to the Western Federation?—A. Yes.

Q. And the Western Federation provides a model constitution for locals, under which they must organize?—A. Yes.

Q. So the old organization is really in existence?—A. (None.)

By His Lordship:

Q. What do you say as to the best method of settling strikes when the parties cannot agree?—A. I believe in conciliation and arbitration.

Q. By that you mean compulsory arbitration, do you—that is, an arbitration whose finding and award is binding on the parties?—A. No, I would not go that far.

Q. What you mean is what I would call friendly arbitration?—A. Yes.

Q. Leaving the award to be enforced by public opinion?—A. Yes.

Q. But would you propose as conciliators a body of the men?—A. Part.

Q. And have conciliators representing the employer?—A. Yes.

By Mr. Bodwell:

Q. The price here is 68 cents a ton, is it, by contract work?—A. Yes.

Q. Do you know what they pay at Ladysmith?—A. No, that may be the rate.

Q. Would you be surprised to know that they paid 75 cents? You know they do pay 75 cents?—A. I didn't know; 68 cents is net.

Q. You get allowances for bad places?—A. Yes.

Q. You have not heard that they pay 75 cents at Ladysmith, with allowances?—A. No, I don't know what tonnage they have there.

Q. How long have you been working in Nanaimo?—A. Fourteen years.

Q. Miners get $3 per day for day work?—A. Yes.

Q. What do runners get?—A. $2.60.

Q. And timbermen?—A. $3.

Q. What is the lowest day work that is paid here—the lowest class?—A. Chinamen, I think.

Q. I mean white men, of course. What class of day work among the white men is the class that gets the lowest pay—door-boys?—A. Yes.

Q. What do they get?—A. They get from $1.

Q. They get $1?—A. I could not say exactly.

Q. Who will know about that?—A. (None.)

Q. Who was it started the agitation for the Western Federation? Were you here at the time?—A. No, I was up in the mountains when it was commenced.

Q. You were not one of the committee that counted the ballots at the pit-head?—A. No.

Q. Ever hear anything about the way that ballot was had? Did you ever hear that when they counted the ballots and found there was a majority against the Western Federation, and then went out and got a few more men to vote? Ever hear that story?—A. No.

Q. Don't know whether it is true or not?—A. Don't think it is true.

Q. Well, I would like to know. I have heard that for a long while. Have you ever considered whether the relations of quartz mining are so intimately connected with coal mining as to make it desirable that a union composed chiefly of quartz miners should control the coal miners? Have you ever considered that question—the relation which quartz mining has to coal mining with a view to unionism?—A. I have never considered that question.

Q. So you would not be prepared to pass an opinion on that?—A. No.

Q. You know, as a matter of fact, that the Western Federation is composed principally of quartz miners?—A. No, I don't know that.

Q. I see the constitution is printed by the Sandon Paystreak. That is in the quartz district?—A. The coal miners might be in the majority.

Q. Do you think they are in the majority?—A. I could not say.

Q. You never asked?—A. No.

Q. Mr. Baker told us the quartz miners were the people who controlled—the majority?—A. I don't know.

Q. Do you think it is a good thing for the coal miners at Nanaimo to be under the domination of the quartz miners of the Western States, or have you ever thought about that at all? Do you know that you are, by reason of you belonging to the Western Federation?—A. I don't think we are.

Q. Well, now you would be. Your body is governed by the majority—that is a principle of it?—A. Yes.

Q. Did you ever see a copy of the official magazine?—A. Yes, I have seen a copy.

Q. Have you ever looked through at the local lodges in British Columbia?—A. No.

Q. Don't you think it would be well to look into some of these thnigs? You hold the office of president, and you don't know these things about the body. You don't know that the Western Federation is controlled by quartz miners?—A. No.

Q. And you never looked at the official organ to see?—A. No.

Q. Have you ever thought whether it is a good thing or not that it should be so? Don't you know that in the Western States the quartz miners outnumber the coal miners by a very large majority?—A. In the United States, no.

Q. Don't you know that the coal miners of Washington don't belong to the Western Federation?—A. I have heard it.

Q. Mr. Baker told us it was true, and I suppose it may be taken for granted. Why do you suppose the coal miners of Washington refused to join the Western Federation?—A. Probably they have never had an organizer among them.

Q. You think they have never had anybody there trying to get them to join?—A. I could not say; they might not have. They may not have had an opportunity.

Q. You think they would leave Washington, although this is an American organization, without asking them to come over and organize Nanaimo? Do you believe that?—A. There are a number of reasons why they don't join.

Q. Can you give me one?—A. Well, they have had a little trouble there.

Q. What is it?—A. They have large strikes.

Q. Well, that is right in line with the Western Federation. For what reasons?—A. Probably the same as at Ladysmith.

Q. What is that?—A. If they decided to organize they will all be stopped. I have never heard that, but it might be so.

Q. Then why should employers in the Western States be so down on the Western Federation, because unionism in the States is generally recognized?

WILLIAM NEAVE—Nanaimo, May 21.

By His Lordship:

Q. Is that a fact?

By Mr. Bodwell:

Q. He says he thinks so?—A. I could not tell you why the employers should be down on them.

Q. You know it is a socialistic organization? You know it preaches revolutionary socialism, don't you?—A. Never heard any in the local here.

Q. Do you know a man named Brooks? Is that not his name—rather prominent here?—A. No, I don't know him.

Q. Did you ever hear socialism or revolutionary socialism advocated in the local lodge here? Will you say that? Is it not a fact that you have a large body of socialists in your union here, and have you not got a socialist party here?—A. There is a socialist party here.

Q. A socialistic political party?—A. I could not say.

Q. What do you think? You know by common report?—A. That is the body.

Q. And they belong to your union, don't they?—A. Some of them.

Q. What percentage of your union is composed of that class?—A. I could not tell; I don't know who they are.

Q. Have you any idea about it at all?—A. No.

Q. Will you undertake to say there are not fifty per cent of your union advocating these views?—A. You say fifty per cent?

Q. Will you say there is not fifty per cent of your own union men?—A. Yes, I think I can say that.

Q. Are there thirty per cent?—A. I could not say; I would not say any number; I could not say who they are.

Q. Perhaps they don't all like to admit it?—A. Probably not.

Q. You think the sentiment is so strong against that class that they don't like to admit they are guided by these principles, but that they are secretly in favour of those views and are secretly promulgating them?—A. (No answer.)

Q. Will you undertake to say that that is not the case in your own union here in Nanaimo, and will you undertake to say that that is not the real reason why the Western Federation was brought in, and your local organization changed into a branch of the Western Federation—what do you say about that?—A. I could not say.

Q. Will you say you don't think that is so?—A. I don't know what these men's intentions are.

Q. Will you say in your own honest opinion that is not the reason of the introduction of the Western Federation?—A. It is my opinion that it is not.

Q. On what do you base that opinion? You know they are a socialistic body; you know you had a good union which was taking care of the men's interests—that there was no reason on account of any disagreement with your employers, and yet the system is changed from a good local union to a socialistic organization. Those are the facts?—A. It is not a socialistic organization.

Q. But you said before it was; I understood you to say that it was a body which advocated socialistic tendencies?—A. Do you mean the Nanaimo union?

Q. Didn't you say that in your evidence in chief?—A. No; it was the American Federation of Labour—not the Western Federation of Miners.

Q. Suppose it to be true, what their organizer Mr. Baker tells us, that that body is one which holds socialistic views—don't you think it a singular thing that here in Nanaimo, where you had a good union, that you should suddenly change it for an institution which advocates socialism—is that not a singular thing to begin with?—A. It is not singular if the majority would wish it.

Q. Is it not singular that you have a large body of revolutionary socialists—doesn't that strike you as having some connection with the Federation? I suppose

you have never thought about these things, have you ?—A. Socialism don't bother me very much.

Q. Don't you think it was about time it began to bother you?—A. I don't think so.

Q. Don't you know you are president of the organization, and it may lead you and beyond these things. You are not a socialist yourself, are you ? Are you a socialist ?—A. (None).

Q. Why don't you want to answer—are you afraid to answer ?—A. I am not afraid to answer.

Q. Well, are you a socialist ?—A. I'm not a Kingsley socialist.

Q. What's a Kingsley socialist ; what distinction do you make between a Kingsley socialist and an ordinary one ?—A. I am not a revolutionary.

Q. But you have socialist views ?—A. Some.

Q. To what extent would you go ; Where would you draw the line ?—A. I don't believe in taking away from the party who has got property without recompensing him.

Q. But up to that limit you are a socialist ? Up to the limit where it comes to a forcible confiscation of a capitalist's property, you are a socialist, are you ?—A. I would not say that either.

Q. Where do you draw the line ?

Mr. Rowe.—Perhaps it is evolutionary, rather than revolutionary !

By Mr. Bodwell :

Q. How soon do you expect to arrive at the point where you will divide up the capitalist's property and distribute it among the men ? How long will that take ?—A. It will come all right.

Q. Well, don't you think that having this view you are in favour of the Western Federation of Miners, and is it not because it is a body which advocates these principles or at any rate countenances them, if it doesn't advocate them ?—A. I don't believe it advocates strikes.

Q. I didn't say that. I say they countenance socialistic doctrines, and is that not the reason why you have joined the Western Federation as a good union for men to belong to ?—A. No, I don't say that.

By Mr. Rowe :

Q. In your recent trouble with the company, when you approached them in regard to the lamps, was any question raised about your belonging to the Western Federation ?—A. Not that I can remember.

Q. They did not refuse to recognize the Western Federation ?—A. No.

Q. And that was not in question at all ?—A. No.

By Mr. Wilson :

Q. You were asked about your old union and your amalgamation with the Western Federation of Miners, and as to abandoning the old union. Was that matter much discussed before you finally affiliated with the Western Federation ?—A. It must have been because it was discussed before I left, and I was away seven weeks.

Q. Were you not discussing affiliation with the United Mine Workers of America ?—A. Yes.

Q. Then the question of affiliation with some international body was much discussed before you joined the Western Federation ?—A. Yes, it was.

Q. So that what you did was the result of careful thought and consideration ?—A. Yes.

Q. Among the majority of the miners ?—A. Yes.

WILLIAM NEAVE—Nanaimo, May 21.

Q. And the majority finally agreed to join the Western Federation of Miners. It was not, as I understand it, because of any desire to advance socialistic doctrines, was it?—A. No, I don't think so.

Q. In speaking about socialism and socialistic doctrines, are you quite sure that you and Mr. Bodwell are of the same mind? His ideas and yours may be very different?

Mr. BODWELL.—I don't think it is a good thing, and he does.

By Mr. Wilson:

Q. Do you know what socialism is, Mr. Bodwell? I should like to examine you on that? Are you quite sure you and Mr. Bodwell understand this?—A. We may differ.

Q. You were asked a question concerning a remark about the ballot taken at the pit-head. Did that not refer to a totally different transaction outside altogether of joining the Western Federation, or are you able to say anything about that?—A. I could not say anything more that I have said. I did not just happen to——

Q. Do you know? You were asked about a remark with respect to the use of the ballot boxes. Did that remark not affect some totally different question than joining the Western Federation?—A. I could not swear to that. There have been so many pit-head votes taken.

By His Lordship:

Q. Was there more than one pit-head vote taken on the subject of joining the Western Federation?—A. Yes, but whether that was the one that Mr. Bodwell has reference to I cannot just place it.

Q. What check had you to prevent duplicate voting?—A. I did not take it.

Q. What check was taken?—A. There were two men checking the ballot; that is all I know. They were there collecting the votes as the miners went down, and as they came up.

By Mr. Rowe:

Q. Who were they?—A. I believe Richard Booth was one, and I think William Jones was the other.

By His Lordship:

Q. Did these men represent the different views—those in favour and those against?—A. I could not say as to that; I would think so myself.

Q. They were intended to act as scrutineers?—A. Yes, they were the ones to receive the ballots—to see they were right.

By Mr. Wilson:

Q. You were asked some questions about the manner in which the central authority of the Western Federation governed the local union. Have you familiarized yourself with the powers and authority of the central authority over the local union?—A. Just from the constitution.

Q. And it is limited to what is contained in the constitution?—A. As far as I know.

Q. In other words, it comes to this: that the quartz miners exercise no more authority over the coal miners than the people in Ontario do over the people of British Columbia?—A. That is the way I look at it.

Mr. WILSON.—That is the way I look at it, too.

RICHARD BOOTH, sworn.

By His Lordship:

Q. You are a member of the Western Federation of Miners?—A. Yes, sir.

Q. Were you one of the scrutineers at the taking of the ballot on joining this organization?—A. I was at the first ballot—the one they spoke off when they found it was carried against the Federation they were opposed to it. That is the ballot I am referring to.

Q. When was that ballot taken?—A. I could not give the date. I never expected to be called, until this morning; sometime just previous to joining the Federation.

Q. How long before the decision to join?—A. It perhaps might be probably a month before that. It might be more, I could not say exactly.

Q. How was that ballot taken?—A. We took No. 1 shaft and No. 5 and also at Haywood.

Q. How many ballots reported?—A. I could not say. I might be a long way astray.

Q. And the result of that ballot was a decision against joining the Federation?—A. I might explain that. We took a ballot at the pit-head. Some of the men were not at work—simply because they were in the mountains at the time, and did not know about it, and the majority of the committee did not think it right that these men should not have their vote. They were allowed to give their vote away from the pit-head. There were about five votes that were taken outside away from the pit-head. There was a dispute arose over these votes being taken on the street.

Q. What was the result of that ballot?—A. We found that the number of votes that were taken on the street was just the number of votes that turned the tie—the majority—and there was opposition raised over it.

Q. How did the ballot go?—A. The idea some of them have got is before we took the five votes it was a tie, and that we rushed around after these people who had not given their votes, and the story is that pressure was brought to bear. That was simply the majority in favour of the Federation—five votes; that was the occasion of the first ballot.

By Mr. Rowe:

Q. Was the condition of the ballot known before they voted?—A. Not unless it was to the committee.

By Mr. Bodwell:

Q. Then they counted the ballots before they went for the men?—A. No, sir. The reason we knew that was when the votes were counted we knew how many ballots we had taken on the street, and we knew from the very men how they had voted, but the ballots were sealed until the whole thing was over. Then the feeling got around that these men had voted in favour of the Federation, and the union decided to cast out the five ballots, and that necessitated the taking of another ballot.

Q. The result of the other ballot was what?—A. The other ballot was taken in our hall, and the majority was in favour of the Federation. That was a secret ballot. I don't know what the majority was.

By Mr. Rowe:

Q. Were there as many votes cast as before?—A. No, I don't think so; the vote was not large at all

By His Lordship:

Q. How many men would you say were at the hall?—A. I think I would be safe in saying there were not 300 ballots cast; I could not give exactly the right number.

Q. There are about 800 men in the union?—A. I don't know what the number would be; it might be 500 or 550.

Q. All men in the old local union?—A. Yes; I could not say to fifty.

By Mr. Rowe:

Q. You say you don't know how many votes were first taken?—A. No, I don't know just now; I paid no attention to it after.

By Mr. Bodwell:

Q. How do you account for the fact that there was such a small vote the second time?—A. Because it was on Saturday afternoon, and a fine day. A large number would go fishing, and other ways.

Q. What notice was given of the second ballot?—A. It was first decided in the union that they should take a ballot; then the notice was put up at the pit-head.

Q. And the men had to come down to the hall to vote?—A. Yes it was taken in the afternoon.

Q. What was the objection to the pit-head vote; you certainly would have got all the men there?—A. The objection was that there was some influence against the men.

Q. Would there not be influence at the hall?—A. I don't think the canvassers would go to the same trouble. When you get a whole body of men around they will do it then more; they would not take the trouble to go up.

Q. Could you not prevent canvassing?—A. You don't control men individually.

Q. Didn't you have canvassing at the Hall ?—A. Not that I am aware of; I did not see anybody.

Q. What took place at the pit-head?—A. Some men were walking around among the other men; I don't know how much that was done at all.

Q. It was a close vote, anyway, only five men?—A. Yes.

Q. Who was on the committee who took the vote at the hall—how many?—A. I think it was three.

Q. Were they all in favour of the Western Federation ?—A. No, sir.

Q. How many were in favour, and how many against?—A. I know there was one against it, but I don't know about the other two. I think one was in the stand this morning ; I think Mr. Neave was one.

Q. He was in favour of the Western Federation?—A. I never asked him; I was not at the hall; Mr. Ralph Smith was there; he was against the Federation. I think the other was Mr. Jones; I believe he was in favour of the Federation.

Q. What method did you adopt in taking the ballot?—A. The ballots were supplied; you went to the desk and they gave you your ballot, for or against, and you deposited the part in the ballot box for the man you wanted to vote for.

Q. How did you know the same man was not voting twice?—A. There was a man there watching the ballot. When a man tore his ballot off there was a man there to see the other part destroyed.

Q. Suppose he gave a different name?—A. I don't think it would be possible to do that. The men are too well known, and the votes were so few.

Q. Could that have been done at the pit-head?—A. I don't think so; the men are too well known.

Q. Are you an officer now in the local lodge ?—A. No, sir.

Q. Have you made any particular study of the Western Federation ?—A. No, I have not.

Q. The men here generally don't know much about the organization ?—A. I don't suppose they do.

Q. How do you account for the men going into it; what argument was used ?—A. Well, I believe one of the reasons was they thought it would be a bigger source of power in case of any difficulty they might have.

Q. Who started that idea here ?—A. I cannot tell you.

Q. Did Mr. Baker come before this ballot ?—A. No, I don't think he had anything to do with it.

Q. Any of the executive here before the ballot ?—A. No.

RICHARD BOOTH—Nanaimo, May 21.

Q. Anybody from the outside working the thing up ?—A. Not that I am aware of; no more than the general feeling in the union.

Q. Do you think you would have known ?—A. It is just possible that they might be working others in, and I would not know of it, but I hardly think it is possible for that to be so.

Q. It strikes me as such a singular thing. We had Mr. Robins, who said he had always favoured unions, and that you had one for about twenty years ?—A. Yes.

Q. And you never had any trouble, and your executive had worked without any friction, and then you suddenly decide to go into the Western Federation of Miners. There must have been some powerful influence exercised on the men ?—A. I don't think there was any more influence than the men thinking it would be better to belong to an outside organization that had some strength behind it.

Q. You have plenty of strength; you never had any difficulties the union could not settle ?—A. No, we always managed to settle them.

Q. You were not joining for the purpose of going on strike ?—A. No.

Q. You mean financial strength ?—A. Yes.

Q. If you were not contemplating a strike, that was not a matter of importance ?—A. Of course contemplating a strike would depend on circumstances; there was no strike in view.

Q. Can you give some reason for the change ?—A. Other than financial strength ? Well, I don't know that I can, other than that it was the general feeling among the men.

Q. Was there not a large socialist party among the men ?—A. There is a socialist party—I don't know how strong.

Q. They were advocating for the Federation ?—A. Yes, I believe they were.

Q. And don't you think that was the argument used ?—A. It was not a question of socialism.

Q. The socialists as a body wanted to join the Federation, and the argument they used with the men was you would have more financial strength if you needed it ?—A. They did not put forth their socialist reasons; I don't know their real reason.

Q. Don't you think there was a reason behind that ?—A. I am not supposed to give other people's reasons.

Q. I am asking you for your opinion ?—A. I might be astray in my opinion.

Q. You would rather not express your opinion?—A. If I thought that was the reason I would tell you.

Q. Let me suggest a reason; that there was a socialist party here, who wanted to get control of the union, and they thought they would have more influence over the union if they got it incorporated with an institution which advocated socialism, and that is the reason why they wanted to change the state of affairs, and get you into the Western Federation?—A. That might be their own private reason. I am not here to say positively that that was the reason. If I had to give my own private opinion, I would say, certainly, that is what some of them thought, but I don't wish to involve other people by giving my opinion.

Q. I am just asking you what you thought. I notice in a communication from Nanaimo the other day in the Miner's Magazine, that there were some people in the union advocating you should put politics on the order of business in the lodge. Is there any considerable number of the union in favour of that?—A. I don't know as to that; I don't remember that.

Q. Do you suppose that that idea would be held by many of the members of the union?—A. No, if I wish to express an opinion I certainly would say it is my opinion that, so far as party politics are concerned, everything should be kept out; that is outside of the union.

Q. But, I want to know whether you think there would be many of the men who would have this opinion?—A. I think the general opinion would be to keep out of party

politics, excepting things that might affect them, for instance, things introduced in the local house.

Q. You know the Western Federation have politics in view in the Western States; that they wish to organize the men into unions, and then organize the unions into voters?—A. I suppose that would be natural for them to do.

Q. Do all labour unions have that?—A. I suppose all labour unions would like to use their votes for the general welfare.

Q. I understand this to be something different altogether. I understand this to be, first organize a union of workingmen, and as soon as the union of workingmen is established, to make them a union of voters, for the purpose of shaping a certain amount of legislation in the country, and that legislation to be of socialistic tendencies. Do you know whether that is the scheme?—A. I could not say that I am acquainted with what they would do.

Q. That is the trouble, Mr. Booth, that the men joined the organization without knowing its real objects and aims. They look on it as an organization to better themselves in regard to employment?—A. I believe that is the idea that some of us have.

Q. Don't you think it is worth while for the heads of the union to look into the objects of this Federation?—A. I may tell you personally so far as I am concerned, that I am opposed to the Federation, and always was.

By Mr. Wilson:

Q. Before deciding to be affiliated with the Western Federation you appointed a committee to examine the constitution and by-laws of different labour organizations of international character?—A. Yes, I think there was a committee appointed.

Q. For examining into the by-laws and constitution of the American Federation of Labour, the Mine Workers, and so on?—A. I may say I was not at the meeting when that came up, but I understand that to be so.

Q. Of whom did that committee consist?—A. I was not there.

Q. They were not necessarily holding a socialist view?—A. I could not say.

Q. Anyway, they reported unanimously in favour of the Western Federation of Miners?—A. I believe so.

Q. And the minds of the organization, or the members, would be influenced to some extent by the report of the committee?—A. Generally it is so.

Q. Are you able to say of your own knowledge that the views of the Western Federation are of a socialistic character?—A. You mean the executive, or the whole—

Q. The whole organization?—A. I am not sufficiently conversant with the whole organization to know.

Q. Other than those expressed in the constitution—you would not look for anything beyond the constitution?—A. I would expect them to live up to the constitution, and not go beyond it.

Q. And unless you found socialist doctrines expressed in the constitution, you would not expect that the organization held any ideas of that kind, unless in the constitution?—A. As far as individuals are concerned I would.

Q. Of course they might hold any doctrines they pleased. For instance, a member of the Property Owner's Association might be a socialist and hold the views of Henry George?—A. Oh, yes.

Q. And you know there are property-owners' associations existing?—A. Yes.

Q. So that there would seem to be no reason why labour organization should not exist for the same purpose?—A. No.

By His Lordship:

Q. You say you were opposed to the Western Federation of Miners?—A. Yes.

Q. Did you join under a sense of compulsion?—A. No; I generally like to fall in line with the majority.

Q. You felt bound by the action of the majority?—A. Oh, no; I felt we had to have a union of some kind, either in it, or as we have in the past.

Q. You were quite satisfied with the old union?—A. Yes, only it was not quite large enough, scarcely.

Q. It was sufficient to cope with any difficulties that had arisen?—A. Yes, of course; but there were other reasons why. Lots of times we have been put to disadvantage from surrounding conditions.

By Mr. Bodwell:

Q. That is because the Dunsmuir men were not organized?—A. Yes, because they were not organized out there.

By Mr. Rowe:

Q. How are you affected by that?—A. Years ago, we were working with a company here who would not employ Chinamen in the faces, because the men objected. We preferred to work, if only for $2.50 a day, rather than take on Chinamen, even if we could have made $4 a day. The other company was working with Chinamen, and it placed this company at a serious disadvantage.

Q. Why did the men drop the Knights of Labour?—A. The membership fell off and gradually went down. The community was small.

Q. Why did they select the Knights of Labour instead of the Federation of Labour?—A. We had the Knights of Labour and this union running at the same time.

Q. The old union was affiliated with the Knights of Labour?—A. No, they were intending to organize—no more than this, that those who belonged to the Knights of Labour were allowed to come to our meetings. We thought they had a right to have some share.

By Mr. Bodwell:

Q. Why did they take up the Western Federation, instead of an organization such as the Knights of Labour?—A. I could not tell you that.

Q. You have no suggestion to make, outside of what has already been stated, that is to say, that a large body of the men were holding socialistic views and wanted to join on that account?—A. I believe some preferred it on that account.

By Mr. Rowe:

Q. Is there any very strong feeling against the Federation in the union?—A. I believe there is; I could not say how strong.

Q. No men left Nanaimo because of the fact?—A. No, sir; I don't think so.

Q. What is the objection urged against joining?—A. I believe some think it is apt to create more trouble than what we had in our own union. They think there will be a bigger power and more friction.

Q. That would not be considered a good objection to joining them—the fact that they would get more power?—A. Well, of course, the more power the better, provided it is properly controlled.

By Mr. Bodwell:

Q. You mean, more power to stir up trouble?—A. No, more financial power. There was a change of companies, and we don't know what conditions may be after the old company ceased, and we thought better to have more strength behind them, in case the new conditions created trouble.

By Mr. Rowe:

Q. Was the change of ownership anticipated at the time you went into the Federation?—A. I think so—about the same time, I believe. So far as the Federation was

concerned, it was a thing which had been talked of for years—joining some other organization, I know, had always been voted down and put off.

Q. Did your local union ever try to induce Ladysmith union to organize?—A. I don't remember anything like that. There was a movement that the men push their own cause to affiliate with Nanaimo, and Dunsmuir shut down South Wellington.

By Mr. Bodwell:

Q. That agitation to organize the Dunsmuir men in 1890 started here in Nanaimo?—A. No, sir.

Q. Was there not a man named Keith——?—A. That is thirteen years ago you refer to. There was a union, I believe, at that time.

Q. There was an agitation for a union in South Wellington, and I always understood that agitation started in Nanaimo?—A. There was a number belonging to the Knights of Labour, although it was unknown to the company.

Q. And these men, together with some men here, started an agitation in Wellington to have a union established there?—A. I am not aware of it.

Q. Were you here at the time?—A. Yes.

Q. It was common report at the time that that was the fact—you don't know it?—A. I think, if there was any agitation, it would be from the men at Wellington.

Q. Tully, Boyce and Keith belonged to Nanaimo?—A. Yes.

Q. They were the men at the head of the agitation, were they not?—A. Yes, but I understand they were asked to go out. I don't think the men would have gone out unless they were asked.

Q. Don't you think the men had a good deal to do with getting the invitation?—A. No, I don't think so; I was at the meetings and in close touch with the organization, and took as prominent a part as any man in the union.

By His Lordship:

Q. I would like to hear what reason there was for so many objecting to join the Federation?—A. One of my reasons was that we ought to have a national organization through Canada—coal miners and quartz miners—I would not object to them, and then if they felt like having an international, all right. There would not be the same objection raised by governments and corporations about foreigners coming in to stir up agitation, although foreign agitation is overdrawn to a very large extent.

Q. That means that some of the men object to surrendering their freedom to outsiders?—A. I think a good many men would like a national organization.

By Mr. Wilson:

Q. In other words your idea would be a national organization and a possible alliance with your friends on the other side?—A. Yes.

Q. Just the same as two states?—A. Yes.

Q. You have been here a long time, Mr. Booth?—A. Yes.

Q. And it has not occurred to you that the personality of the management—an employer who has the welfare of his workmen at heart has a large influence in the prevention of labour disputes?—A. Yes, sir.

Q. That is, if everybody else in the country had shown the same disposition that Mr. Robins has shown, there would not have been any trouble?—A. Yes, sir.

By Mr. Bodwell:

Q. Always supposing they had the same sensible men to work under them?—A. I think a bad employer makes bad workmen. There is a feeling deep down in workingmen, which will respond to a keen touch of consideration and good feeling.

Q. But there must be good sense also among the men who are employed—A. Yes, certainly; it depends largely on that.

RICHARD BOOTH—Nanaimo, May 21.

Q. It is not all on one side ?—A. It seems strange that it should be all on one side. I believe there is as good a class of men at Extension as at Nanaimo.

Q. In the majority ?—A. Yes, I believe the majority.

By Mr. Rowe :

Q. Do you know of any experience in which an outsider came in and endeavoured to induce the men to strike, or raise any difficulties ?—A. I cannot call any to mind.

Q. Do you remember any outsider speaking in your union meetings, advocating such a course ?—A. No, I don't remember anything of that kind.

By His Lordship :

Q. I suppose, as a rule, these outsiders come in only when invited ?—A. They cannot come in until permitted by the union themselves, and are not allowed to speak unless permitted by the local.

Q. Can you tell us whether there have been any communications between this body and the U.B.R.E. relative to sympathetic strike ?—A. I don't know of any.

Q. Has the question of the U.B.R.E. been brought up at union meetings ?—A. Not when I was there. I have been to nearly all the meetings and no reference was made.

By Mr. Bodwell :

Q. Did you ever hear this : That Mr. Estes threatened the Board of Trade in Vancouver that he would call out the Western Federation, if the C.P.R did not give in, and shut every coal mine on Vancouver Island ?—A. I only saw the newspaper report.

Q. That never came to your notice in any authentic way ?—A. No

Q. Do you think he could do that ? He said he had a bunch of telegrams about it—some of them from the Western Federation of Miners agreeing to go out, and that he would close every coal mine on Vancouver Island. Do you think he could do it ?—A. I question whether he could.

Q. Suppose, in response to a telegram from Estes, the executive at Denver should ask this union to strike in sympathy with the U.B.R.E., what position would you be in ? Would you think it safe, in the interests of your union, to disregard that request ?—A. I could only answer for myself.

Q. Individually I quite believe you would oppose the strike ?—A. I don't know about opposing it ; it all depends.

Q. I don't want to get your individual opinion, but the effect on the union. Here is Estes carrying on a fight against the C.P.R. In order to stop their coal he wants to call out the coal miners on Vancouver Island. He makes a request of the executive, and they ask the Nanaimo union to strike in sympathy with the Estes strike. What would be the decision of the union here? Would they do it?—A. I believe as far as Nanaimo is concerned that the majority would oppose it.

Q. We will suppose that the executive at Denver requested it. Do you think that the union could refuse, assuming that the executive had promised financial support?—A. As far as expecting to remain in the Federation, I don't know; they might want to throw us out.

Q. Say that Estes requests the executive and the executive requests you to strike, and offer you financial aid if you do, don't you think the Nanaimo union would strike? —A. It would all depend on the justice of the case of the C.P.R,

Q. Would they not take the opinion of the executive at Denver on that point?—A. Not necessarily.

Q. Don't you think they would act on the assumption that the executive had properly decided that question? Don't you think they would go out?—A. I think we would discuss that question purely on its merits.

RICHARD BOOTH—Nanaimo, May 21.

By His Lordship:

Q. But the difficulty is you would only hear one side of the case; you would only hear the grievance of the men?—A. Before we could go out there would be the thirty days' notice. I would feel that contract as binding as the oath I have taken this morning, and I believe the majority of the men would regard it in that sense too.

Q. Assuming that the Western Federation would not want you to disregard that agreement, but would call you out on strike and promise financial support, is it not likely that they would call you out?—A. I think the course would be to try and find out all information on the C.P.R. side. We would have to use all means possible to get it.

Q. But that is always the difficulty about these sympathetic strikes—you only hear one side of the case?—A. We generally have those in our union prepared to discuss both sides.

Q. How would you get information as to the C.P.R.'s side?—A. The only way would be to appoint a committee to look into the matter, and we would have to decide on the merits after.

Q. And you consider it a right thing to encourage a sympathetic strike under some circumstances?—A. I think that should be used with a great deal of discretion. There might be some cases where a great deal of power was used, and I think it should be used with a great deal of caution. I would justify it under some circumstances, but there would be very few.

By Mr. Wilson:

Q. You cannot point to anything under the constitution or by-laws of the Western Federation which justifies the supposition that the central authority has any power in dealing with the strike, other than in an affirmative way?—A. No, I think the constitution is all right.

Q. In other words, what the constitution does is this, the local union decides itself whether a strike shall be ordered, and the power of the central authority is to approve or disapprove of the conclusion which the local union has arrived at?

Mr. Bodwell.—Mr. Baker did not say that.

Mr. Rowe.—That was not the supposition that was involved by the question.

Mr. Bodwell.—Estes said that request had been approved by the executive, and he had a telegram to prove that.

By Mr. Wilson:

Q. The gist of it would be this: Assuming that the central authority had approved of Mr. Estes' telegram, and you were willing to have a sympathetic strike, and you received any instructions or request to that effect, would you go out?—A. No, sir.

By Mr. Bodwell:

Q. Suppose the Western Fuel Company had a contract with the C.P.R. to supply coal for a certain length of time; would you consider you had a right to force the Western Fuel Company to break its contract by way of sympathetic strike?—A. It all depends on the provocation. It is difficult to justify a sympathetic strike sometimes.

Q. Then the union would take on itself to judge whether it had the power to decide whether the strike should be carried out?—A. That seems to me——

Q. Why should you punish the Western Fuel Company, or any employer with whom you had no difficulty, in order to punish the C.P.R.?—A. There might be a difficulty on the other side; the C.P.R. might turn around.

Q. But in this case you would have no difficulty with your employers, and yet you take on yourselves to say whether or not your employers shall be allowed to carry out their contracts?—A. Well, of course, I think they would use every power to get over it.

Q. I understand, of course, that you and every honourable man would not do that; but it means, in some cases, that you can break contracts as between your employer and other people?—A. Well, by giving thirty days' notice we keep to our contract.

Q. But don't you see the position—you force your employers to break their contracts with other people?—A. Yes, I see the point all right.

Q. I would like to know the limits of their right to do that?—A. I admit that is a difficult point.

Q. You understand that if the Western Fuel Company break their contract with the C.P.R., they are liable for heavy damages. Why should you punish them in this way?—A. I think the men should go as far as possible to prevent that.

By Mr. Rowe:

Q. I understood Mr. Baker to say that the Western Federation would never ask these men to enter into a sympathetic strike, except in cases where employers were going out of their way to break any strike; that they would never ask the men to violate an agreement, but that they might ask the lodge to come out to prevent their employers from taking contracts of another employer. For instance, if the Dunsmuir Company had a contract with the C.P.R., and the C.P.R. men were on strike, if the Western Fuel Company took over the Dunsmuir contracts, that then it might be a case in which the local union would be called out. I think we should have a clear understanding on that.

By His Lordship:

Q. That leaves the Western Federation as judge of its own case; they assume to decide whether the Dunsmuir people are doing these things?—A. I think that would be governed largely by the locals in many cases.

Q. What the public is interested in knowing is, what are the limits of sympathetic strikes; because, if there are such things as sympathetic strikes to be permitted by the law of the country, it seems to me no man is safe in his contracts.

By Mr. Wilson:

Q. Have you a copy of the by-laws of your local union?—A. Yes.

(Put in as Exhibit V.)

By Mr. Rowe:

Q. It was given in evidence by a witness, that their union would consider their obligation to the international union as paramount to their obligation to their employer; that is to say, when the union had entered into a contract with their employers, and if the international executive thought it necessary to break that contract, the local union would do it? Does that sentiment prevail in the local union here?—A. I don't think so; I think the majority of the men would consider the agreement as signed by the company.

By His Lordship:

Q. Do you think there are any circumstances under which a contract signed by the union with the companay could be broken by the intervention of the headquarters at Denver?—A. I would not think so; I think such a thing as that would be the breaking up of the union.

WITNESS.—I wish to correct a statement I made this morning with regard to the votes taken. I said two votes were both taken in connection with the Western Federation of Miners. I found out afterwards that one was taken in reference to the Trades and Labour Congress—the first one, in which there was such a narrow majority—the one at the pit-head. This morning, I said it had reference to the Western Federation of Miners. That was incorrect; I just wish to explain that.

By Mr. Rowe:

Q. Was that vote accepted as final?—A. No, sir; they took another vote. Then the question of the Federation came after that.

NANAIMO, May 21, 1903

THOMAS J. SHENTON, sworn.

By Mr. Wilson:

Q. You are the secretary, I believe, of the local union?—A. Yes.

Q. How long have you been connected with the local union?—A. I have been connected with it some four or five years. I came to Nanaimo in 1893 first. I was there a period of some three years, I think. Then there was an interval. Since that I have been connected with it continuously for about four years.

Q. And as a result of your acquaintance with organized labour and trade unions, do you conceive it beneficial to both employers and employees?—A. Yes.

Q. Will you kindly tell the Commissioners in what way you conceive it to be beneficial?—A. To state briefly, it is beneficial to the employers and employees from the fact that matters can be arranged among the men as a body; the men can deal with the company as a body. There would be no individuals or collection of persons in the minority who could raise any trouble that would be unfavourable to the company in any regard.

Q. In other words, the company are dealing with an organized body, having its committee elected from the members, and the others are bound by that authority?—A. Yes.

Q. Do you remember when the local organization became a branch of the Western Federation of Miners?—A. In December of last year, December 20, I think.

Q. Antecedent to that had there been any, and if so, how much discussion on the subject?—A. For years, two years, I should say—the question of affiliation with some large international body.

Q. And is it proper to ask you to tell the Commissioners the reasons the miners had for desiring affiliation with a large organization?—A. Yes: the reason was, in the first place, as a local union we considered ourselves somewhat a small power, in dealing with any other company than the company we have been dealing with up to a recent date. Our reason in this connection, too—why we affiliated with an international body was simply from the fact that we were driven to that position in the absence of there being any national body.

Q. There is in Canada, I believe, no national organization, for the purpose of material support and strength, with which you could affiliate?—A. We are not aware of any national organization.

Q. Was the local union here ever affiliated with the Trades and Labour Congress of Canada?—A. Yes.

Q. What were the reasons for disassociating themselves from that body?—A. Simply to give you an opinion, as I understand it, and as the men understand it, it is not a pure labour organization. It was looked upon as being a political rather than a labour organization.

Q. And the conclusion you arrived at, I suppose, was that small unions, like small states, are liable to attack, and ultimately become absorbed by others?—A. Yes.

Q. In other words, they have to join other bodies for mutual comfort and protection?—A. Yes.

Q. And before joining the Western Federation of Miners, did you discuss the relative propriety of joining other organizations, as the American Federation of Labour and the United Mine Workers and others?—A. Yes, that was well threshed out.

Q. There was, I think, a committee appointed to inquire into the relative merits of these international organizations?—A. Yes; I was a member of the committee.

Q. That committee reported unanimously in favour of the Western Federation of Miners?—A. Yes.

By His Lordship:

Q. Who were the other members of the committee?—A. I am almost at a loss to call to memory the names; we have so many committees.

Q. How many were on it?—A. About seven of us.

Q. How long were you inquiring into the matter?—A. It covered a period of time, say about—that is definitely, when we had proposed to affiliate with somebody—we passed a resolution favouring affiliation——

Q. When was that passed?—A. I think that was passed in the latter part of November, or the beginning of December, 1902.

Q. It was on December 20, 1902?—A. Yes.

Q. You passed a resolution in favour of affiliation, leaving the name of the organization blank?—A. Yes.

Q. And then there was a committee struck to inquire into the relative merits of the organization it would be suitable to join?—A. Yes.

Q. How long did that committee act in that capacity?—A. About three weeks or a month, to look into the various constitutions, the American Federation of Labour, the United Mine Workers of America, and the Western Federation of Miners.

By Mr. Wilson:

Q. You cannot remember the names of the members of the committee? Can you remember any of them?—A. I think our president was one, Mr. Neave.

Q. Mr. Ralph Smith?—A. No, I think not; I will have to look the matter up—I just forget.

Q. You would have to refer to the books?—A. Yes; I can produce that evidence afterwards, if necessary.

Q. You had before you the constitution and by-laws and methods of management of the different organizations?—A. Yes.

Q. And you inquired into them?—A. Yes, we read them carefully, and we arrived at a decision in favour of the Western Federation of Miners.

Q. That conclusion was arrived at from a perusal and study of their methods of management?—A. Yes, that is so.

Q. Were you influenced at all in your decision to join the Western Federation by reason of its freedom in admitting socialists within its ranks?—A. Well, no. If my memory serves me right, while there may have been one or two of our socialist brethren who were members of our local union on the committee, they were, I think, in the minority. We were in no way, so far as I know, decided by the views of these members who were socialists, to affiliate with this body at all.

Q. Do you know the attitude the Western Federation assumes towards socialists?—A. There is a recommendation passed by the executive board of the Western Federation of Miners, that class-conscious socialistic lines in a political sense be observed, and I may state now that previous to our affiliation with that body, previous to the time also that the thing had been under way for some time to join this body, previous to this time I had met Mr. Baker. He accidentally dropped into town—I don't know what his errand was—and I approached him. In view of the fact that we were about to affiliate with some body—not that we thought of affiliating with this any more than any other body—and I asked him whether it would involve that we should be under obligation, as a local order, to socialism in any regard, and he said no. And that is the understanding we had.

Q. As I understand it, while not propagating socialism, it supports it?—A. Yes.

Q. Does it go further, and recommend socialistic views?—A. Yes—that is, the executive.

Q. Does the executive, when recommending this particular principle—is it as the executive of the organization, or simply as individual expressions of opinion on the part of the members?—A. Well, it was the expression of the executive board in their official capacity.

By Mr. Rowe:

Q. You said you were driven into an international organization because there was no national one. Do I infer that, had there been a national one, that that would have been your preference?—A. Yes.

By Mr. Wilson:

Q. To follow out the line of that suggestion—your preference would be a national organization, and then a possible alliance with other bodies?—A. Yes.

Q. So securing to yourselves the complete control of your own internal arrangements?—A. Yes.

By Mr. Rowe:

Q. What decided you in your choice of the Western Federation?—A. As stated by previous witnesses this morning, one vital matter would be that it was the most convenient body—the body that stood in near connection with us. That was one reason.

Q. Near geographically?—A. Yes. Well, no, the branches of its body, anyhow—we have 24 unions in this province. That is one reason that influenced us.

Q. At that time there were no coal mines in it?—A. Yes, I think the Fernie coal mines were. Another reason was, we thought it was a body that was not so cosmopolitan as, for instance, the American Federation of Labour, which takes in all trades and branches of trade and workmen.

Q. Of course, your relations would not be the same?—A. No.

Q. You would be part and parcel of the Western Federation, and only an affiliated body with the American Federation of Labour?—A. I don't just understand.

Q. I understand the American Federation of Labour includes various crafts—a sort of parliament of unions. Now, the Western Federation of Miners is a single organization, having locals over which it has authority. The American Federation of Labour is the same sort of thing as the American Labour Union, with which you are now affiliated; the Western Federation is an affiliated body with that union. I was wanting to know what your preference would be for it, above, say, the United Mine Workers?—A. There was really—I don't think there was any particular preference, only the thing took that form—that geographically they were in their branches nearer to us. They were not so cosmopolitan as the American Federation of Labour, and we put it down that we were a body of miners, but instead of being quartz miners, as coal miners. We regard the quartz miner as our brother, the same as the coal miner.

By Mr. Wilson:

Q. Have you acquired sufficient familiarity with the methods in which the Western Federation transacts its business to tell us the exact amount of influence that it exercises over the local organizations? For example, take the matter of sympathetic strike; does it exercise any control over you in that respect?—A. Well, that exercise of control is dependent upon the vote of the local union.

Q. In other words, the local union decides whether or not a strike shall exist?—A. Yes.

Q. And all the central authority can do is to approve or disapprove of the action of the local union?—A. Constitutionally so.

Q. In other words, the central authority has no power to direct you to go out on sympathetic strike? Suppose the central authority were in sympathy with the U.B.R.E. the central authority of the Western Federation of Miners has no jurisdiction

to order a local out on strike, has it ?—A. Well, it is rather a delicate point. It is an open question as to whether they could do that. We have as much right to vote unfavourably against them in a case of that kind as they have to try and put us into the position. And if it were decided to do anything of that nature—it would have to take into consideration all contracts and all agreements recognized by the local lodge in connection with employment which would be involved on our part to them—any connection with which our men were concerned, and also any contracts the company might have.

Q. In other words, you would not say the direction of the Western Federation—the central authority—would justify you in breaking an agreement. For example, there is an agreement with the Western Fuel Company. Do you, or do you not say that the central authority would justify you in breaking that agreement ? Which would you regard as the more binding on you ?—A. They are involved in the responsibility of considering this the same as we are.

Q. Assuming a request from the Western Federation for you to come out on sympathetic strike, would that necessarily involve breaking your agreement with the Western Fuel Company ?—A. The possibility is nothing would be done without thirty days' notice.

Q. In other words, would you not regard that thirty days' notice as an essential part of the agreement with the Western Fuel Company ?—A. Certainly.

Q. Which would you regard as the more binding, the contract you had made, calling for thirty days' notice should be given, or the central authority ?—A. We would regard the contract with the company.

Q. In other words, you say that the central authority would be bound to respect the contract of the Western Fuel Company with the local union ?—A. In connection with the small grievance we had of recent date, our position in connection with any settlement of these grievances were through Mr. Baker and endorsed and approved by him as representing the Federation.

By Mr. Rowe :

Q. And if they had not been ?—A. In the absence of their not requiring these rules to be inspected before they were approved we took it for granted that their silence meant consent.

Q. Supposing there was no provision for notice—supposing it was a time contract of a year—would the same position be correct ?—A. Yes, or three years. We would keep to our agreement in spite of the request of the central authority.

By His Lordship :

Q. Suppose the central authority at Denver requests you to come out in sympathetic strike in order to assist the U.B.R.E. The Western Fuel Company have a three years' contract with the C. P. R. The effect of your going out on sympathetic strike is to compel the Western Fuel Company to break its contract ?—A. As I have said previously, that would be involved in the agreement covering both sides. In any arrangement of that kind we would feel bound to live up to any such contract.

Q. Then I gather that if the Western Fuel Company had an arrangement with you not to go out on strike for three years, you would respect that ?—A. Certainly.

Q. And if there was any request you would not feel bound at all to prevent the Western Fuel Company fulfilling that contract ?—A. So long as that is possible, that seems to me—that all these matters are as agreed on both sides. In a case of that kind, the company would have itself thoroughly protected, as in any other matter, with the union, that they would not strike for that period on account of these strikes.

Q. Then it would be possible for the Western Fuel Company to get a contract from you that would free them from any danger of a sympathetic strike for three years if they wished to do so ?—A. I believe so.

THOMAS J. SHENTON—Nanaimo, May 21.

Q. Assuming, Mr. Shenton, that the Western Fuel Company had a contract with the C.P.R. for supplying coal for three years. Knowing that they were about to enter into such an agreement as that they made a contract with your union for three years. Suppose, these conditions existing, you were called out, or asked to come out in sympathetic strike by your central authority, which would you respect—your contract with the Western Fuel Company, or the request of the central authority of the Western Federation of Miners ?—A. We would have to respect our contract with the company first.

Q. If the majority of the union were of the opposite view, what would happen then ?—A. I think that rarely occurs, and I think, at the same time it is hardly possible, because that is thoroughly understood by the men when we arrange these matters—that no breach can be made—that we must be liable right through and live up to the contracts.

Q. That is the feeling generally among the men ? That when they enter into a contract they propose to respect it ?—A. Yes.

By Mr. Wilson :

Q. Do you think the executive would inquire about such a contract before making the request ?—A. The possibility is they would.

By Mr. Bodwell :

Q. Do you know Mr. Estes ?—A. No.

Q. Have you had any correspondence with him ?—A. No.

Q. It is stated he said to the Board of Trade in Vancouver that he had communicated with the executive of the Western Federation at Denver, and that they had endorsed his request, and that if the strike were persisted in he would call out all the coal miners on Vancouver Island. Could he do that ?—A. That would be a questionable position.

Q. Mr. Estes is a prominent man in labour circles ?—A. I don't know the gentleman.

Q. He is president of the U.B.R.E. ?—A. I don't know the gentleman; I heard from report that he is.

Q. You know by report that he is prominent in labour circles ?—A. Yes.

Q. From reports you know he is prominent, then ?—A. Yes.

Q. Do you suppose he is familiar with the methods of the Western Federation of Miners ?—A. I would take it for granted——

Q. Don't you think he knows what he is talking about when he makes a statement of that kind in Vancouver ?—A. I should say so.

Q. He produced a telegram which he said he had from Denver that if that strike was persisted in he would call you all out. Do you think he could do that ?—A. No.

Q. You think he was stating what was not true when he stated that the executive at Denver had endorsed his application ?—A. No, if the Western Federation had as an executive board representing the whole body approved of that, then it has to be submitted to the local union, and I am pretty sure——

Q. Then it is possible that on Mr. Estes' application a request could be made by the executive from Denver that this union should go out on strike in sympathy with the U.B.R.E.—that is possible ?—A. It could make the request—I don't know——

Q. Mr. Estes says it is possible, and that he had a telegram to show it. Is he right or wrong ?—A. If he is right, then we don't know it. It is not in the constitution.

Q. Then if Mr. Estes is right, it must be that, while the constitution makes a general statement, the executive can interpret it, in particular instances, the way he mentions ?—A. It might be that.

Q. What do you think about it ?—A. Well, I simply think little about it.

THOMAS J. SHENTON—Nanaimo, May 21.

Q. You don't believe Mr. Estes' statement then ?—A. Well, I would not like to discredit the statement exactly of Mr. Estes, but we have not been made responsible for that statement through the Federation.

Q. That is not the point. I am simply asking you if, under the constitution, and in accordance with the manner of its interpretation, at Mr. Estes' request, could the executive make that call on you ?—A. Well, there is nothing in the constitution saying so.

Q. Then you don't know whether it could or not ?—A. No, I am not just exactly aware. There is nothing to inform me in the constitution that he could do that.

Q. Well, is there any reason at all why Mr. Estes would not know better than you what the Western Federation could and would do ?—A. Well, Mr. Estes may know a good deal. I don't know what he knows about the Western Federation.

Q. It is not revealing a statement of things which is a surprise to you ?—A. Well, I feel like this regarding that matter. Supposing it may be possible—we are not sure what Mr. Estes says is correct—well, in the absence of anything to the contrary that it is correct we would not like to say it is not, but so far as I know we are not aware of the fact that he could do that, and if a request of the executive board of the Western Federation of Miners was made, it would have to be endorsed or rejected in accordance with the local union's vote.

Q. Then supposing that state of things to be true—the executive could not call you out constitutionally unless you voted to go out ?—A. No, I think not.

Q. I want to ask you as a matter of opinion what position you think your local lodge would be in, if, at the request of Mr. Estes, the executive made that call on you, and said they would support you if you came out ? What would be the moral effect, if you say they cannot legally bring you out ? Assuming they cannot legally call you out, what would be the moral effect on your body if a request like that came from Denver, with an offer to support you if you went out. Don't you think they would go out ? —A. I don't think they would go out.

Q. Why would they not ? Tell me why the local lodge would disregard what is practically a command from the executive ? What guarantee is there that the local lodge would disregard that request ?—A. We have no information that they have that power.

By His Lordship :

Q. The assumption is that they cannot legally call you out—in fact, the constitution provides they cannot—but suppose the executive represented to you that there is a possibility of the U.B.R.E. succeeding in their contest with the C.P.R. if you come out, anl they offer you financial support, the question is, would you come out ? —A. I don't think we would.

By Mr. Bodwell :

Q. What guarantee is there that you would not ? You would expect to lose the good-will of the executive if you did not ?—A. I don't know.

Q. They would not make a demand on you that they would not think in their interests ?—A. I don't think they would.

Q. Something was to be gained by doing so; the general interests of the order were to be advanced—that is right ?—A. Yes.

Q. We will say you disregarded it. You would expect to put yourself in opposition to the central governing body of the Western Federation of Miners ?—A. By refusing ? Certainly.

Q. And the result is you would lose the good-will of the executive. You would expect that ?—A. If the matter interfered with any local arrangement in any way——

Q. Never mind that. You would expect to lose the good-will of the executive if you refused to accede to their request ?—A. We might. That has not been proved.

THOMAS J. SHENTON—Nanaimo, May 21.

Q. Would you not, as a reasonable man, expect to lose their good-will ?—A. No, not if we could prove that their request was not reasonable.

Q. That means if you could get them to withdraw their request. That is not the point. They make a request; they persist in it; and you refuse to accede to it. You expect to lose their good-will ?—A. We might.

Q. Then when you get into trouble, and wanted help from the executive, do you think you would get it in that state of affairs ?—A. Well, it would be a matter whether our position was reasonable or not. If they did not directly tell us and they were not reasonable, then I consider we could afford to lose their support.

Q. For purposes of policy they consider that you should be out on strike; they make a request and you disregard it. I am putting a supposititious case. You disregard that request. Then if this union got into trouble and wanted the executive to help them, do you think they would ? You put yourself against the policy of the concern, as formulated by their executive board; you have opposed this lodge against the whole policy of the Western Federation of Miners. Having done that, do you suppose they would help you when in trouble ?—A. I don't know that we are made responsible for opposing the policy.

Q. That is the actual result in the case I put, that this local lodge has opposed itself to the considered policy of the central body ?—A. If that is the policy——

Q. That is not the point. I am putting a case to you—a case Mr. Estes said was going to happen—where you would either have to act with the central authority or put yourself in opposition. I am asking you whether you would expect the central body to assist you when you were in difficulty. You would not, would you ? Won't you say that ?—A. I could not expect the central body——

Q. You could not expect them to help you in your trouble if you set yourself up against them ?—A. Well, no, I expect we could not.

Q. Don't you think that line of argument would drive your lodge out on strike every time the central executive refused it ? We will suppose a case—that Mr. Estes was not dealing with the matter—that the request had come to you from the executive, don't you think the line of argument I have proposed to you would be sufficient to send this union out on strike in sympathy with the U.B.R.E. ?—A. Well, if that had transpired, possibly it might be so.

Q. It is a state of things that is possible—you stated that thing might be done ? —A. That the request might be made—not done.

Q. You get a request from the executive—would not that policy almost certainly put your men out on strike ?—A. It is like I have repeated. It would involve all the necessary consideration that could be given by the Western Federation to our body. In the second instance, it would involve our vote.

Q. Well, under the constitution they cannot order you out, but the fact is just the same, by reason of the moral force they can bring to bear on you ?—A. I don't think so.

Q. Here is Mr. Estes says, I send to Denver and I get the consent of the executive, and I am going to call out every man on Vancouver Island. He says, I have a telegram here. You say it is possible he might have had that answer. That being so, the executive request you to come out. I say that the moral effect of that request is just the same as an order ?—A. I don't see it.

Q. If you tell me you would not go out, I would like to know how you support your statement. I ask you if you think that this local lodge is going to oppose itself to the executive ?—A. As I have stated, the local lodge would be in a position to take into consideration all the circumstances, and if they were not what they should be, in the opinion of the local lodge, to support the idea of the executive in asking us to come out, the position of the local lodge would be just as strong as possible.

Q. Don't you see that you don't answer my question; you get away from the position. I put you in the position of the local lodge opposing the will of the central

authority at Denver, and I asked you if you thought they would do it ?—A. Well, they would do it under the circumstances I have stated, where it would not mean in any way an infringement of anything that was loyally agreed to by the local lodge affected.

Q. You think they would not disregard the contract under those circumstances ? —A. Yes.

Q. That is to say, for the sake of your contract with the Western Fuel Company you would expose this local lodge to the whole power of the Western Federation of Miners ?—A. Not necessarily so; your case is optional.

Q. It is clear enough. We assume that in order to get an agreement you must oppose the central authority. You have to put one lodge against the whole executive —would you have the courage to do that ?—A. The responsibility rests equally upon the Federation regarding these strikes.

Q. Yes, but I put the case where the executive has made the request ?—A. How could they put the request to a local when they would be violating a contract of the local lodge ?

Q. You said they would not, but Mr. Estes said they would. Assuming, for the sake of argument, that Mr. Estes is right and that they would—what would you do ? —A. I have stated, in contracts of that nature, we would have to oppose it.

Q. And do you think the Western Federation would stand by you ?—A. If they did not we could not help it. The possibility is they might not.

Q. Now, you said the principal reason that you joined the Western Federation was to get their strength in case of trouble ?—A. Their strength in funds ?

Q. I suppose you meant strength in funds, you did not say it ?—A. No. We have simply stated our reasons for joining the Western Federation of Miners, as we might have joined the other organizations had the vote gone that way—simply for mutual help and moral assistance. Our chief object in doing so was for mutual and moral assistance, of course involving financial assistance if ever required. It has always been hoped that it would not be required; we don't want strikes.

Q. You only wanted the union for the moral effect ?—A. No moral effect on the members; the moral effect it would have with the employers regarding arrangement of matters in connection with employment.

Q. That is to say, supposing you wanted a better condition of affairs in your mines you would have the moral support of the Western Federation ?—A. That would have some weight.

Q. That you would have the weight of their numbers in support of conditions relating to your employment ?—A. That is part of the reason.

Q. Do you think they would interest themselves in your little local lodge here, when they made a request on you involving the whole policy of the Federation, that they would bother about you very much. We understand that the Western Federation of Miners are organizing themselves into a political body in the United States, for the purpose of carrying out legislation. We will suppose, in connection with the movement, that the Federation think it would be wise to have you out, together with all the other men in the Western States, and the executive make a request on you accordingly. This is just putting a case. You refuse—you could legally refuse—the moment that you get into a dispute with your overmen as to places and rates to be paid, do you suppose the moral weight of the executive is going to be given to you in your contention, after your action ?—A. It is one thing to ask a question and another to reply.

Q. You are there to answer questions, and I am here to ask them ?—A. I still maintain, as I have already repeated, irrespective of what it may mean—that is so, as far as the executive board is concerned—if our position is straight we have the right to protest and protest by refusing— and if that protest comes we were right, we would have a right to their sympathy. On the other hand, like I have said, we could not help that.

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Q. At any rate you would lose this moral force, and you would not expect to get any financial support in the same state of affairs ?—A. If they refused one, they would refuse the other.

Q. The result is you have tied yourself up to a body which may control you against your will ?—A. Well, I don't know that. Simply from the fact, as I have said, that it has not been proved——

Q. I am taking the statement of a man as prominent in labour circles as you are, who claims to have the authority of men in Denver. Of course if you tell me Mr. Estes was making a false statement to the Board of Trade in Vancouver, that is a different proposition altogether ?—A. He might be making a bluff; I could not say positively.

Q. Do you say that he was not telling the truth ?—A. No, I would not say he was not telling the truth.

Q. He was not very indefinite in his statement that he would call out every coal miner, that the Western Federation were going to do it—that he had a telegram to that effect. Of course if you say it is impossible I suppose the argument will end. Will you say it ?—A. No, I cannot say it.

Q. Then there is where you are—that the executive might make that request ?—A. We are aware of the fact that they might make the request.

By Mr. Rowe :

Q. Without a request from another local union ?—A. No, with a request from a local union. Supposing this district was formed into three unions, that we were a district union. In that case they might call upon us.

By Mr. Bodwell :

Q. Supposing the statement made by Mr. Estes was true—that he had that power with the assurance that he would call out the miners on Vancouver Island—would that surprise you ?—A. Yes, it would, to some extent.

Q. It would present the Western Federation in a light that you did not conceive it possible to be viewed in. Do you think your local is subject to a possible call of that kind ?—A. It is a case that does not affect your wages or your work, simply the general cause of labour ?—A. I hardly think they would do it, nor I don't think if a request of that nature was made, it would certainly on our part be opposed.

Q. Supposing there was a proposal to give power to the executive to do that, would you continue in the union ?—A. Well, that is a pretty hard question; that covers a large area.

By Mr. Rowe :

Q. It seems to be an important point. Suppose the constitution gave the executive power to suspend the charter of a local union that would not respond to the call for a sympathetic strike. I may say that Mr. Baker assured the Commission that such power lay, and that it would not be used. It is important to know how the power would be by the local union ?—A. I would think it would be viewed in an unfavourable way. I think our men would be against the position taken by the Federation. So far as conditions existing with the U.B.R.E. people are concerned, they would utterly repudiate it, but that they might do in conditions on the Island. As I have always said the Western Federation are responsible for every local contract with this company, and cannot order a strike or ask for assistance without the carrying out of these contracts.

Q. I have to say that if I thought the organization could be subject to that power from an external source—that it would be forced to take such action, I think it important that such an organization should be pronounced illegal. The contractor would have no security in his contracts, and would be menaced by a power which could not be controlled or reached. I was under the impression that the Western Federation did not take that position ?

By Mr. Bodwell :

Q. You know this 'Miners' Magazine ?'—A. A little.

Q. What do you think of this :—

(Quotes) 'Miners' Magazine,' May, 1903, p. 49 :—

> 'Don't you know that the next serious strike must be won by a national or international strike to show capitalism and ourselves how omnipotent unified consolidated labour is ? Stop every wheel in America; silence every telegraph; stop every train; hold every ship at anchor; close every market; silence every press for ten days'——

What are you going to do when that demand is made upon you ?—A. I don't know. It is a colossal demand.

Q. Does that represent the idea of the Federation ?—A. I cannot say that it does.

Q. Are you going to come out when they order this international strike ?—A. Well, we will have to see. It has not come yet.

Q. Do you know a man named Thomas Brooks, Nanaimo Miners' Union, No. 177 ?—A. No, I don't know him—not Brooks.

Q. Then your official organ does not print your names correctly ?—A. Lots of others do not know.

By His Lordship :

Q. I suppose they print them correctly in the scab list ?—A. Well, I don't know.

By Mr. Bodwell :

Q. I want to ask you here if these are the views of any of your members. (Quotes from 'Miners' Magazine,' May, 1903, p. 45) :—

> 'I have taken upon myself to forward a report of our doings here. I am pleased to tell you that this local of the W.F.M. has just drawn up a constitution and by-laws for our government, and they were adopted at our last regular meeting. There is only one thing omitted in the order of business that I am sorry was left out, and that is political discussion. We still have some amongst us who seem scared to touch political discussion in the union'——

Is that right, are there only a few ?—A. There are a large number.

Q. ——'Now comrade, I think at the next convention this should be one of the things discussed, and see if it could not be determined that it should stand on the order of business, as it is the only thing that can do any permanent good. It will help to educate the workers along the proper lines, and is the only way to make them see that they cannot get any good results from any of the old parties, but if they are ever to get the shackles off their limbs they will have to do it by themselves by electing their own class into power on a straight class-conscious ticket.'

Does that represent the view of any considerable number of your lodge here ?—A. So far as I am concerned, it doesn't; not any considerable number.

Q. Is it the purpose of your union to organize politically for the purpose of getting a class-conscious party in power in this province ?—A. Well, we do not propose to go into politics in the union.

By Mr. Rowe :

Q. You want to keep clean ?—A. Yes.

His Lordship.—What is meant by class-conscious ?

By Mr. Bodwell :

Q. It is a name given to a certain section of the socialist party, is it not, or to the ideas which they represent—that is so, is it not ?—A. I think that is so.

THOMAS J. SHENTON—Nanaimo, May 21.

By His Lordship :

Q. Is their chief tenet the belief that there is an irreconcilable gulf fixed between labour and capital ?—A. Yes, I believe so.

By Mr. Bodwell :

Q. And the thing they have permanently before their minds in their existence as a party. They are 'class-conscious'—their views are always to the front ?—A. I would like to say that I don't want to be held responsible as to explaining their views. I don't want to make statements here that might annoy some of our brethren. There are some of our brethren here whom these statements might annoy.

Q. But that is the popular idea of what they are ?—A. I suppose so.

Q. As a matter of fact, every officer in your local lodge here holds socialistic views ?—A. That would depend on what you understand to be socialistic views.

Q. I am using the popular understanding of the term. You yourself would be classed as a socialist—if not an extreme socialist ?—A. I might be.

Q. Is it not a fact that every other officer would be classed as a socialist ? I don't use that term in any offensive sense, and I don't mean an extreme socialist ?—A. No, I don't think they would be classed as socialists, supposing they held views parallel with the socialists.

Q. As a matter of fact, are they known to be socialists ? Mr. Neave says he was, and you say you are ?—A. I didn't hear Mr. Neave say so, and I don't say so.

Q. You are not a socialist ?—A. It depends on what you mean.

Q. I said in the popular meaning of the word—I don't mean the extreme sort ?—A. The modern socialist do you mean, revolutionary socialist ?

Q. Well, I don't mean the anarchistic kind. What do you call a modern socialist ?—A. The modern socialist is a revolutionary socialist, I guess—the evolutionary socialist.

Q. There is what is called the socialist party in Nanaimo—do you belong to that ?—A. No.

Q. You don't hold their view ?—A. I may hold views similar to theirs, but I cannot hold theirs.

Q. There is no party can monopolize a view ?—A. Simply from the fact that they may be my views.

Q. Then they hold yours—is that right ?—A. You can put it that way if you like.

Q. Do they hold your view ?—A. They may, in part.

Q. I think you are very far along when you said you were not a socialist ?—A. I may be a socialist.

Q. Is not every officer of your lodge on the same plane politically as you are ?—A. No.

Q. Then there are some who do not hold socialist views ?—A. Certainly.

Q. Who are ? Any of your officers ?—A. There is Mr. Neave.

Q. Then you don't agree with him, because he says he is ?—A. Well, there are different kinds of socialists.

Q. Well, we will leave it at that. You said in your examination-in-chief that one of the reasons you joined the Federation was that if you had dealings with other companies you would be stronger than without it. What companies were you referring to ?—A. The possibility of any company. I mean the possibility of another company being formed to take over this property.

Q. You had no connection with the agitation and organization at Ladysmith ?—A. None whatever.

Q. You never suggested to any person that they should go to Ladysmith to organize ?—A. No.

Q. You had no communication with Mr. Mottishaw on that subject ?—A. No.

Q. No talk with him on the subject of organization at Ladysmith ?—A. No.

Q. No suggestion that someone should go to Ladysmith and bring about organization ?—A. No, I don't remember.

Q. You had no conversation with Mr. Mottishaw which in any way bore on the question of organization at Ladysmith ?—A. Since then, since the organization.

Q. But before the meeting was held—the meeting to call on Ladysmith ?—A. I was going to say I did not know anything about the meeting that was called.

Q. When did you have a conversation with him, and what was it about ?—A. Well, the only conversation I had with Mr. Mottishaw—I had a talk with him prior to that—just previous to that meeting—I don't know anything about the meeting.

Q. Did you know that it was being talked of prior to the meeting ?—A. Yes, representations had been made in several instances to Nanaimo that the men down there were wishful to organize. That is about the sum and substance of the conversation that transpired. Then I had no conversation until afterwards.

Q. The first conversation was before the meeting, and it was to the effect of the communication from Mr. Mottishaw that the men were anxious to organize at Ladysmith ?—A. No, none by letter.

Q. I mean the statement by Mr. Mottishaw to you that the men at Ladysmith wanted to organize ?—A. It was commonly repeated by men passing to and fro from here to Ladysmith that that was so.

Q. What did Mr. Mottishaw say about it to you ?—A. Mr. Mottishaw simply repeated the statements made by other parties.

Q. Did he volunteer the statements or did you ask some questions ?—A. Mostly volunteered.

Q. What part was not volunteered, or what part was not brought out by you ? Did he begin the conversation, or did you ?—A. He began the conversation.

Q. And what did he say ?—A. I am open to tell you exactly what he said. It will help my case. Mr. Mottishaw has been in the habit of coming into town. He has a home here. He said that the men were feeling disposed to be organized at Ladysmith.

By His Lordship :

Q. That is what he told you ?—A. Yes, and other men prior to me. That was the common report.

Q. How long ago were you first informed that they desired to organize there ?—A. Possibly this thing took place most of all after our affiliation with the Western Federation of Miners.

By Mr. Rowe :

Q. At the first of the year ?—A. Yes.

Q. And you were informed by Mottishaw and others that there was such a disposition ?—A. Representations from Ladysmith were made through the person of Mr. Mottishaw and other parties coming, constantly stating to me, I considered, talking among themselves down there that the men would like to organize, and we have always said—the Nanaimo union has always said, without any deviation, as far as I know, that whatever Ladysmith or Mr. Dunsmuir's men might do they must do it voluntarily, that we could not have any official connection with them in any decision to organize, for this reason—that it has been thrown in the face of Nanaimo heretofore that Nanaimo wanted to show a desire to reach Dunsmuir's men, and to create trouble amongst them, and that is the reason why no matter was accomplished upon our part in that regard—to take any notice, officially or otherwise, until they had initiated steps themselves in this matter, and asked our sympathy or our advice regarding matters of that kind.

Q. What did you say to Mr. Mottishaw when he came to you ?—A. The sum and substance of what I did say to Mr. Mottishaw was to the effect that if the men desired organization, they had better line up ; that we could not interfere ourselves with them, that they would have to take action themselves, because I said, as expressed to Mr.

Mottishaw, that it is an affair in which Nanaimo does not want to interfere, and that I had no authority officially to do anything of the kind owing to the feeling existing among the men.

THOMAS J. SHENTON—(recalled) :

By Mr. Bodwell :

Q. What position have you, Mr. Shenton—are you an organizer for the Western Federation ?—A. No, sir.

Q. As deputy organizer ?—A. No. Mr. Woodburn of Ladysmith referred to me as an organizer, and I would like to know just what he said.

Q. He said he had a conversation with you, and he said that you should contribute a portion of the fee you were paid as deputy organizer of the Western Federation to the support of the Ladysmith men, and he didn't know whether you took his statement in a joking way, or as a serious one, but that you said you would. He said that these remarks passed, and then went on to suggest that you might have taken it as a joke, and that you were not serious ?—A. I never intended to be serious, simply because he never told me any such thing. The whole story is entirely untrue, and I say to this Commission that the responsibility he has taken upon his shoulders to make this statement—that he be informed by this Commission that he has made false statements. I think I can prove that the story is entirely false in word and detail—that he and I never had a conversation on that subject. And further, I was never deputized by the Western Federation to do any such thing. I am no paid servant of the Western Federation. I have never done anything at the instructions of Mr. Baker to assist or agitate the men at Ladysmith.

Q. Then you didn't have any conversation with Mr. Woodburn on the subject of organization at Ladysmith ?—A. No, I have had none whatever on the subject of organization.

Q. When were you at Ladysmith—did you go to Ladysmith ?—A. That is as stated by Mr. Woodburn.

Q. But you did go to Ladysmith ?—A. Yes.

Q. When did you go to Ladysmith ?—A. I went to Ladysmith possibly three weeks last Saturday.

Q. Did you see Mr. Woodburn ?—A. Yes, and talked to him.

Q. And you talked about the subject of organization ?—A. Well, very little, if it was talked about at all. I recollect very little regarding the conversation.

Q. Can you undertake to swear that some statement like that might not have been made, and you treated it lightly ?—A. I am prepared to swear I never made any such statement.

Q. You say you don't remember anything about the conversation. I think I can reconcile your differences. You went there and had a talk with Mr. Woodburn, and the subject of organization must have come up, Mr. Shenton ?—A. I will admit this, that if it were possible that some such reference was made, that any statement coupling my having anything to do with the Federation never took place.

Q. You and Mr. Woodburn are not very far apart, because Mr. Woodburn says it is quite possible you might have understood it as a jovial remark ?—A. Well, I never made it.

Q. Well, you say you were not down there getting up that organization; you say you are not a deputy organizer of the Western Federation, might not Mr. Woodburn have made a statement of that kind which you might have taken as a joke ?—A. He never did.

Q. Tell us what the conversation was, if you can ?—A. We had no conversation on that. If any references were made to the organization, it was made in the sense of its existence at present, and the real position among the men. No conversation outside of that.

Q. You are undertaking to swear positively that a certain thing was never said, which might have been a joke and may have passed away from your recollection ?—A. It was never said.

Q. How can you be sure?—A. I told you distinctly that the whole of the conversation that we had was to the effect of the position that was running somewhat among the men regarding the Western Federation of Miners not being as vigilant as it should be.

Q. You were conversing on the subject that the Western Federation had not subscribed much to the miners ?—A. Yes.

Q. And do you mean to say that a joking remark such as he says you made might not have been made ?—A. It never was made.

Q. Do you say it might not have come up ?—A. Not without my knowing it ; I would have remembered that.

Q. I know you would, had it been a serious charge against you, but do you mean to say you remember every joking remark made in the course of conversation ?—A. I would have protested.

Q. Are you so sensitive as that ?—A. Yes, it is necessary that I should be.

Q. Is your dignity such a tender thing that no man can even joke with you ?—A. Well, jokes sometimes are not always seasonable, and a joke of that nature I would not take to be a joke.

By Mr. Rowe :

Q. The nature of the remark was to the effect that he would contribute half of the fee that he was to get as organizer to the support of the men, women and children. A man would not say anything like that even in the way of a joke ?—A. No, it was not a joke.

By Mr. Bodwell :

Q. How long have you known Mr. Woodburn ?—A. A number of years.

Q. And he would not dare to take that amount of liberty ?—A. If he did he took too much liberty.

Q. But if he said it as a joke, then you are going to resent it ?—A. A joke had no right to come before this Commission as evidence.

Q. But the question is whether or not a joke of that kind could not have been made ?—A. It never was made.

Q. It is your recollection against Mr. Woodburn's; he might be as positive as you ?—A. I am prepared to meet him and argue the question.

Q. Have you ever known an instance in your life when you have been equally positive and been absolutely wrong ? Have you never had an experience of that kind ?—A. Well, yes.

Q. Could it not have been possible in this case ?—A. No.

Q. Let me show you your inconsistency. I asked you if there had not been other occasions when you could not remember, and you said yes ?—A. Yes.

Q. Then why could it not have been so in this case ?—A. I didn't intend to say it was not possible. It did not take place ; it is not a fact at all.

Q. Do you mean to say that Mr. Woodburn would go into the box and deliberately manufacture that story ?—A. I would have thought he never would have done it.

Q. Is it not possible that you are mistaken ?—A. No.

Q. Well, you are a remarkable man. I think the Commission should have your photograph as one of the exhibits—a man who could not make a mistake !

By His Lordship :

Q. You are secretary of this branch of the Western Federation ?—A. Yes.

Q. Can you tell us, Mr. Shenton, speaking generally on behalf of the union, as to what cases it is permitted to go out in sympathetic strike ?—A. Well, at present—speaking at present, I don't know.

Q. Do you approve of sympathetic strikes ?—A. It is hard to answer correctly. We wish to avoid—so far as I know, the feeling of the men generally—we wish to avoid them. We are loth to do anything of the kind in that regard.

Q. For what purposes do you approve of sympathetic strikes ?—A. We do not approve of them so long as they can be avoided. If it is possible for them to be avoided in the sense that companies can make contracts, and these contracts must be observed. When a company makes an agreement with a union, it must be observed, and a sympathetic strike could not occur.

Q. Would it be necessary in the interests of your employers that they should have an iron-clad agreement with you in order to protect themselves against a sympathetic strike. Supposing the Western Fuel Company have a contract for three years with a company like the Canadian Pacific. Would it be necessary, in order to guarantee the carrying out of that contract to secure a contract from you men that there would not be any sympathetic strike for the space of three years ?—A. It would be a wise provision on the part of the company to do that.

Q. Or there might be some danger that a sympathetic strike which you would be in some sense prepared to inaugurate ?—A. That is dependent on the vote of the union—of course approved of by the Western Federation of Miners.

Q. Then I gather the position is, that unless your employers have a clear understanding that you are not to go on sympathetic strike, it is open to you if you see fit ?—A. Well, it is possible. They may be leaving this open in that regard somewhat.

Q. And you think the general opinion of the men is that sympathetic strikes are not desirable ?—A. Yes.

By Mr. Rowe :

Q. Do you mean that it would be necessary for the employer to have in express terms as to sympathetic strikes in order to be safe ?—A. I think that is possible, and that it would be a wise course on the part of the employer. Supposing there is an organization—at present we are open to all these questions in connection with our own company—whenever they wish us to consider and agree to anything arising we are open to agree, if reasonable, and intend to live up to that agreement.

Q. Suppose you had an agreement with your company, and the terms of that agreement were such that a strike would violate it, without expressly stipulating against a sympathetic strike, would you feel at liberty to come out on sympathetic strike ?—A. No.

Q. So it does not need the express provision in language in the agreement in order to protect the company ?

By His Lordship :

Q. I think the witness has answered that clearly when he said that it would be wise provision to have a clause covering sympathetic strikes inserted or they would be liable to occur. The result of the thing is this, that unless there is an agreement against sympathetic strikes that possibility is open to the union.—A. I simply say it would be a wise provision on the part of the company.

Q. And the reason why is because if they did not have that, there would be a possibility of a sympathetic strike taking place ?—A. Their ground would be the same as ours, and that ensures their side of the question. If they had this agreement between themselves that would prevent a strike.

Q. I gather, of course, that if the Western Fuel Company had an agreement with you that you would not go out on sympathetic strike, that you would live up to it. I suppose there is no doubt about that. That the union, so far as they can, at all events, live up to the contracts.

By Mr. Rowe :

Q. The reason I asked the question was that I did not see the force of his answer. It would imply that if there were no such a clause in the agreement they would go on strike in the face of a trade agreement ?—A. In the face of a trade agreement ?

Q. Yes. Supposing you had a time agreement, and nothing said about sympathetic strikes, would not the union feel under obligation to adhere to the terms of that agreement despite the fact that there was no clause against sympathetic strikes ?—A. Yes.

By His Lordship :

Q. It is clear that if there is no clause as to sympathetic strikes, there is nothing to prevent you going out on sympathetic strikess—so long as you work for the company ?—A. Unless there is some alteration in the price——

Q. Is it necessary in the interests of the employers to secure this by a positive guarantee—that there will not be sympathetic strikes ?—A. It would be a good thing.

By Mr. Wilson :

Q. Did your local union ever hear anything about this alleged threat of Mr. Estes to call out all the coal miners on the island ?—A. Not a word.

Q. Never was discussed ?—A. No.

By His Lordship :

Q. You did not see any circular purporting to be signed by Estes ?—A. In the nature of a threat ?

By Mr. Wilson :

Q. Was that circular, or anything in connection with it, ever brought before the local union ?

(Circular, Exhibit 8, handed to witness.)

A. Without waiting to read it, no.

Q. Read that part underlined ?—A. 'The Western Federation will be asked to stop the mining of coal on Vancouver Island'——we have no knowledge of that. That is the first of that I have seen.

Mr. Bodwell.—And yet Mr. Dunsmuir's mines, which have the contract with the C.P.R., did strike within a few days of that.

By Mr. Wilson :

Q. Do you know whether it was ever brought before the local union at Ladysmith ?—A. Not that I know of.

By Mr. Bodwell :

Q. And the fact that that strike is made was a mere coincidence, and had no connection with the circular ?—A. As far as we are concerned no such proposition was ever mentioned or intimated. I have been with Mr. Baker in Nanaimo, and I know just as much about what he spoke of concerning Ladysmith, and I say Mr. Baker has never intimated any idea so far as I know, nor has it come with our union.

THOMAS J. SHENTON—Nanaimo, May 21.

By Mr. Wilson :

Q. Now, you were asked a lot of supposititious propositions—I want to put one myself. If the central authority required you to do something which was not warranted by the constitution, would you feel yourself bound to do it ?—A. Not at all.

Q. In other words, if the central authority acted in an unconstitutional way, you would not expect to obey an authority which could not obey its own rules ?—A. Not at all.

Q. You were asked as to the moral effect of such a demand. Would you consider the moral effect of an unconstitutional demand upon you at all—would you consider that ?—A. No.

Q. Would your union take into consideration the moral effect of an unconstitutional demand ?—A. Not at all.

Q. How does your local union regard the matter of political discussion—do you admit politics into your union as part of the order of business ?—A. No, we are supposed not to deal with politics. Of course that is a large subject. We are allowed to discuss anything along the line that tends to the interests of labour, but it must be in the interests of labour. We discuss the candidates who shall run for us.

Q. In other words, purely political matters not usual with labour men are not discussed by you ?—A. No.

Q. Of course, you would be obliged to consider the relation of any questions which arise in relation to the political aspect ?—A. Yes.

By Mr. Bodwell :

Q. When you were giving instructions to the delegate who has just gone to the convention, did the question of the stand he would take on the subject of politics come up in giving him instructions ?—A. Well, that is a matter—in the first place, ours is a secret organization. I don't know whether if I answer something to that it would annoy a large number of the members.

Q. The view of the majority is that politics should be discussed at lodge meetings ?—A. No, it is not the judgment of the majority.

Q. And you decline to answer whether or not the stand your delegate was to take at the convention was discussed at the meeting where he got his instructions ?

By His Lordship :

Q. I suppose the delegate will represent the view of the majority on that question ?—A. Well, he would be representing a majority of the men who were present at the time the vote was passed. Of course that majority might be a minority of the whole union.

Q. I fancy we can gather, very safely, how the delegate was instructed; so that in that particular instance, he is not representing the view of the majority. What method would you propose, Mr. Shenton, to put an end to strikes if the parties won't conciliate ?—A. Mediation or conciliation.

Q. If the parties won't conciliate ?—A. Arbitration.

Q. Would you favour compulsory arbitration ?—A. Well, not exactly, I don't think I could.

Q. You would leave it to public opinion to enforce the award ?—A. I believe that the board might be constituted by law to deal with these matters, something similar to the one we have at present.

Q. You think compulsory investigation would be the thing ?—A. Yes, compulsory investigation. That is, in the event that the parties could not agree.

By Mr. Wilson :

Q. Is your objection to compulsory arbitration partly because of the difficulty of enforcing the award ?—A. That is one real objection.

Q. And that involves the proposition of compelling the workman whether he will or not ?—A. Yes.

Q. And if some means could be devised by which that objectionable feature could be avoided, would compulsory arbitration then be objectionable to you ?—A. That is compulsory investigation——

Q. As far as the employer is concerned, there is no question but what he could be reached. The workman cannot be reached for the simple reason that compelling him to carry out the award would be to compel him to work, which would be against all liberty. Supposing a means could be had of enforcing the award on the part of the workmen—would compulsory arbitration be objectionable then ?—A. I am hardly able to say.

THOMAS RUSSELL, sworn.

By His Lordship :

Q. You are the manager of the Western Fuel Company ?—A. Yes.

Q. And before that you were what ?—A. Manager for the New Vancouver Coal Company.

Q. How long have you been in the position of manager ?—A. About four years and a half.

Q. When did you receive any intimation that the men here had joined the Western Federation of Miners ?—A. I don't remember exactly; it was after they connected themselves and appointed a deputation to see us. I could not say exactly that I was in favour of the Federation.

Q. They did appoint a committee and you were informed by the committee ?—A. They did appoint a committee and told me that they were representatives of the Western Federation of Miners—not in any other way.

Q. There was a strike of about two weeks' duration a short time ago ?—A. There was a dispute; I don't know that it was a strike.

Q. The men ceased work ?—A. Yes.

Q. Can you tell us the difference ?—A. I considered it was a strike, but they did not consider it was.

Q. A distinction without a difference ?—A. Yes.

Q. What was the cause of that ?—A. Certain alterations were made in the rates, and the men objected to these alterations.

Q. An allowance for safety lamps was kept off ?—A. Yes, that was one thing.

Q. Why was that done ?—A. We supplied a lamp that we considered superior to the old one, on which we used to allow 25 cents.

Q. What was it allowed for ?—A. For a deficient light. The men cannot produce the same amount of light with an inferior lamp.

Q. The company replaced that with a better lamp ?—A. Yes, and the men did not consider it was good enough, and they demanded that the 25 cents be kept up.

Q. Did the company consider that an unreasonable demand ?—A. Yes.

Q. Then they must have got to view it as a reasonable demand when they settled ?—A. They did not consider it worth while disputing about and shutting down the mine; they thought it better to settle than shut the mines down.

Q. How was that dispute settled—by conference between you and the committee ?—A. Yes.

Q. Has the company raised any objection to the men joining the Western Federation ?—A. No.

Q. What provision, if any, is being made against sympathetic strikes ?—A. There is no provision made.

Q. Have you got a copy of the agreement now in force between you and the men? —A. There is no written agreement in force between the company and the men at all.

Q. Is that a satisfactory condition of affairs ?—A. No, I don't think it is exactly.

Q. There have been written agreements in the past ?—A. Yes.

Q. How is it there is no written agreement at present ?—A. One reason is that the men have drawn up a form of agreement, and there are several things in it that the management consider it would be unwise to endorse, and the thing is lying in abeyance in the meantime.

Q. Can you give us a copy of the proposed agreement ?—A. Yes.

(Agreement put in as Exhibit 10.)

Q. Is that clause 3 not satisfactory to the company ?—A. No, I don't think so.

Q. What I want to know is are there any clauses unsatisfactory outside of the question of prices ?—A. It is a matter of prices.

Q. Have you anything to suggest as to how strikes should be settled when the parties cannot agree ?—A. I cannot say that I have. I have never given that the consideration that I should have. We must take troubles as they come; they are generally enough.

Mr. BODWELL.—And bear other people's troubles with resignation !

By His Lordship :

Q. How many times a year do you have conferences with the pit committee ?—A. Sometimes three times a week; sometimes not for a month; usually they are much more frequent when a new committee is appointed.

Q. Like a new municipal council ?—A. Something like that.

By Mr. Rowe :

Q. They get busy ?—A. Yes, more frequently under these circumstances than others.

By His Lordship :

Q. How much of your time is taken up by conferences with committees ?—A. I would save probably an hour a week; I don't think it would average any more than that.

Q. The pit committee system seems to work well ?—A. As far as I have found it does.

By Mr. Rowe :

Q. Would that much time be consumed in disputes if there were no union ?—A. I don't know that it would.

By His Lordship :

Q. What do you say are the chief advantages of unions as far as employers are concerned ?—A. I don't think there are any advantages as far as employers are concerned at all.

Q. No advantages ?—A. No, I don't think so.

Q. It has been frequently stated that one advantage is that an employer has been able to deal with the union as a whole and not with small bodies or clubs ?—A. I find that men, if they are properly dealt with, whether members of a union or not, there is not much trouble at all. I have had twenty years' experience without unions and something like four years with unions, and I don't think there is much in that.

Q. You would prefer if there were no unions ?—A. As far as I am concerned as superintendent, it is immaterial. I don't think it makes much difference.

Q. What are the disadvantages, from the point of view of the employer ?—A. In some cases I think it is easier enforcing discipline.

Q. It weakens discipline ?—A. Yes, it has a tendency to weaken discipline in some cases.

Q. Is that the only disadvantage ?—A. As far as I know.

Q. You mean by that that employers would have to submit to demands which they would not otherwise have to submit to ?—A. They have to submit to demands which they would not have to submit to at all. When they have a weak executive it gives considerable trouble.

Q. But if the officers of the union are reasonable men there is no trouble ?—A. No, but if the executive is weak there is trouble.

By Mr. Rowe :

Q. Because they cannot control the union ?—A. It is either that, or that they are catering for support or votes, or something like that.

Q. Like a weak government ?—A. Yes, like a weak government.

Q. Where were you formerly ?—A. I was ten years at Union previous to being here.

By His Lordship ;

Q. I suppose employers have to be a little more careful with the men when they are unionized ?—A. I think that is a benefit to the men. If I were a workman I would consider it a benefit to be a member of the union.

By Mr Rowe :

Q. You think it is necessary to their welfare ?—A. I think it is an advantage.

Q. Do you think if they had not a union they would suffer some disadvantage ? A. I think they would.

Q. That all things considered they are exercising a reasonable protection ?—A. I think so.

By Mr. Bodwell :

Q. But from an employer's point of view they sometimes get things that don't really belong to them ?—A. Yes.

Q. You were ten years at Union ?—A. Yes.

Q. There was no union there ?—A. Attempts were made twice in my time, but they failed in both cases.

Q. You never had any serious difficulty with the men there that could not be adjusted without a union ?—A. No.

Q. If a man came to you he generally knew he had something you would talk about, or else he kept on with his work ?—A. Yes.

Q. Don't you think these pit committees come more with the idea of raising a difficulty instead of settling one ?—A. No, I cannot say that I think so.

Q. Is it not more so with a pit committee than with individual men? If you were dealing with an individual you would let him go ?—A. Yes.

Q. But you cannot dismiss a pit committee ?—A. No, and that is just where the benefit of the unions comes in as far as the men are concerned.

Q. As a manager you would aim to do what was right by the men. You would not refuse to redress a man's claim unless it was a bad one ?—A. No.

Q. And you would not want any pit committee to force it on you ?—A. No.

Q. And the only thing a pit committee does is to get something from you which you do not think would be right ?—A. I have admitted as much as that.

Q. Not that it is a protection to the men, but an advantage to the men ?—A. It is a protection to the men in some cases.

Q. But it enables them to get advantages ?—A. Yes.

Q. And these advantages are not always in the nature of just demands ?—A. In some cases they are not.

Q. In this matter of the lamps you had to submit ?—A. Yes.

Q. Do you think you would have had to submit had there been no union ?—A. I don't think so.

Q. And you would not have had to give the allowance ?—A. No.

Q. The question of whether the union is workable or not depends altogether upon the character of the executive ?—A. To a great extent.

Q. With a weak executive, or a lot of hot-headed men, the tendency of unionism would be to close down the works—their demands would become so excessive ?—A. It might come to that.

Q. Is the tendency not in that direction ?—A. In my opinion I cannot exactly say that.

Q. Is it not a tendency of unionism to bring into prominence the agitator among the men ?—A. There is a tendency in that way.

Q. You get a man on the pit committee; he wants to become president of the union—you will have a lot of grievances, won't you ?—A. I cannot say that we are troubled with very many.

By His Lordship :

Q. I suppose you find more tact is necessary in dealing with union men than with those who are not unionized ?—A. Decidedly more.

Q. And one of the chief qualities required in a manager of mines is tact ?—A. Yes, tact.

Q. I suppose it is no doubt an advantage to have an agreement with a body of men ?—A. I believe it is beneficial.

Q. Do you find that they will live loyally up to the agreement ?—A. That is my experience.

Q. Are they given to picking holes in the agreement and finding ways out of complying with it ?—A. To a certain extent, but I cannot say that it would be worse than with no union as far as that particular phase is concerned. We would have difficulties with men under any conditions. There are men who would make difficulties out of any circumstances, and these men are some of them members of a union and some not.

Q. I suppose it is practically impossible to employ non-union men in a union mine ?—A. With the arrangement we have here it would. It is mentioned in the written agreement. The dues are kept off in the office.

By Mr. Rowe :

Q. You say the dues are kept off in the office ?—A. Yes.

By His Lordship :

Q. And in that way you organize the union ?—A. Yes.

By Mr. Rowe :

Q. Has that anything to do with sick benefit or doctoring ?—A. Nothing at all.

Q. You also handle that ?—A. Yes.

By His Lordship :

Q. Would it be an advantage to have unions incorporated ?—A. I think so.

By Mr. Rowe :

Q. There is a sense of security in making contracts ?—A. Yes.

Q. All things considered, Mr. Russell—you have had experience, having regard to a desire to do the fair thing to all parties, would you sooner manage union men or non-union men ?—A. Well, I don't know that it would make very much difference.

By His Lordship :

Q. Depends on the character of the men themselves ?—A. A good deal.

By Mr. Rowe :

Q. And something on the character of the board of directors, the interest on dividends and so on ?—A. I have had no difficulty as far as the employers are concerned. I have been working with employers who would not recognize unions, and others who would, but of course when men are united they can look better after each others' grievances better. If a manager is so disposed, where there is no union, he can get rid of them much easier, perhaps for some trifling offence, and I think, perhaps, taking everything into consideration, that it would be better for men not to have that power.

By Mr. Rowe :

Q. Don't you think a man who is always making grievances gets into disfavour with the union, and is silenced by them ?—A. I don't know about that. Sometimes it gets him into favour. That is where the weak executive comes in. When a new executive is appointed, of course there are generally some persons very anxious to show how much they take the interest of the men so much better than the previous one, that we are troubled to a certain extent. That belongs, I suppose, to society at large.

Mr. Rowe.—We have the same thing with reference to the municipal council.

His Lordship.—New brooms.

Arthur Spencer, sworn.

By Mr. Wilson :

Q. You are a coal miner ?—A. Yes.

Q. How many years have you been mining ?—A. About twenty years.

Q. What union do you belong to ?—A. The Western Federation of Miners.

Q. The local union ?—A. Yes.

Q. And you are working for the Western Fuel Company ?—A. Yes.

Q. Did you ever work at Wellington ?—A. For over four years.

Q. Did you belong to a local union there ?—A. To the Knights of Labour there.

Q. Was that a labour organization which the management of that mine recognized ?—A. They didn't recognize it as the Knights of Labour, but they recognized a pit committee and allowed us to put on check weighmen.

Q. And during the time that the organization existed there, had you any difficulties with the management ?—A. Only one time the pit committee was called on, and we went to see Mr. Bryden about it. He would not speak about it at first, and then we settled it with old Mr. Dunsmuir. He permitted us to go around and examine the place, and as things turned out we had to decide against the man. That is the only difficulty we had.

Q. Did you belong to any other unions ?—A. Yes, the Miners' and Mine Labourers' Protective Association.

Q. Had there been any agitation for any length of time to affiliate or join any larger organization ?—A. Yes, for several years. About two years ago there were steps taken to join the American Federation of Labour, but for some cause it dropped there. It has been discussed for years.

Q. Then it was finally determined that as the result of the investigation of a committee appointed to join the Western Federation of Miners ?—A. Yes.

Q. Was the question of socialism considered in connection with that ?—A. Not to my knowledge.

Q. Did you know anything about the alleged socialistic views held by the great many of the Western Federation ?—A. No, only just before affiliation.

Q. What did you know about it then ?—A. It was represented that was the action of the executive, and before affiliation the question was asked distinctly whether by affiliation we would be adopting the socialist platform, and we were distinctly told no; that although socialism was recognized to a certain extent in the Federation we did not necessarily become socialists by joining it.

Q. In other words, in all your views, except as far as organized labour was concerned, you were at liberty to follow your own fancies ?—A. Yes.

Q. At times the union men at Nanaimo have gone to Wellington and Alexandria to assist in organization there. Under what circumstances did they go ?—A. I don't think they went to Alexandria. They were asked to, but as far as I recall, they were distinctly told that the Alexandria men had to take the initiative and organize themselves, and when they were organized we would talk affiliation with them.

By Mr. Bodwell :

Q. When did you say you were at Wellington—what year ?—A. In 1884.

Q. How long were you there ?—A. Until the spring of 1889.

Q. And you say that during that time a pit committee was recognized ?—A. Not all the time ; during the year 1888, only in one year.

Q. Mr. Bryden was manager then ?—A. Yes.

His Lordship.—We would like to get the official statement of the result of the ballot on the question of joining the Federation; the number for and against; the number present at the meeting; the number of men entitled to vote; what length of notice was given of the meeting; and how it was given.

Mr. Wilson.—I will take a memo. of the particulars desired and hand them in later.

Ladysmith, May 22, 1903.

(Upon the opening of sittings of Commission, Mr. Wilson handed in the information asked for at Nanaimo relative to vote *re* Western Federation of Miners, &c.)

Mr. Bodwell.—Mr. Woodburn is anxious to put himself straight on the matter which arose between him and Mr. Shenton, and I have told him that I think the best thing he could do would be to make his own statement to the Commissioners on the subject.

Mr. Wilson.—Before that happens, is it proper to mention that one object of coming here was that Mr. Dunsmuir might attend, and I am informed by Mr. Bodwell that it will not be convenient for Mr. Dunsmuir to attend here to-day. Is it proper to ask what course is intended to be adopted to secure his attendance ?

His Lordship.—The Commissioners have wired Mr. Dunsmuir to the effect that he should be here either to-day or to-morrow. If he does not choose to be here then, the Commissioners will fix a day on which he will have to attend.

Mr. Woodburn.—I would like to hear the stenographer's report in regard to the matters of Mr. Shenton's evidence in reference to a conversation between Mr. Shenton and myself.

ARTHUR SPENCER—Nanaimo, May 21.

His LORDSHIP.—I understand the stenographer has not transcribed the evidence yet, but what Mr. Shenton said was to the effect that he denied having a conversation with you to the effect that he was a deputy organizer of the Western Federation and that he was going to receive any money.

Mr. WOODBURN.—If I remember correctly I suggested to him that owing to the trouble here and the suffering caused to the women and children, that he turn in a part of his commission to alleviate this distress, and he said he would do that and more. I don't want to take up the time of the Commission to bring witnesses, but I can bring witnesses to prove that he made this statement.

His LORDSHIP.—If you wish witnesses called, they may be called.

Mr. WOODBURN.—I have two or three I will call.

BENJAMIN FORCIMER, sworn.

By Mr. Bodwell :

Q. Did you hear any conversation between Mr. Woodburn and Mr. Shenton ?—A. I happened to be at the corner when it transpired, but there was so much talk that I could not recall anything that I could give as a definition of what was said.

Q. Did Mr. Woodburn say to Mr. Shenton anything to this effect, in a joking way or otherwise : that he hoped, in view of the distress here, that Mr. Shenton would divide whatever commission he made out of the organization here among the men who needed the money ?—A. No, I didn't hear it in that way. I think that Mr. Woodburn said it would be—I don't think I heard anything in that connection at all. What I did hear was in a jocular way—what I did hear Mr. Shenton say was 'he would do that and more,' but what it was I don't think I was sure at the time.

Q. You didn't know to what that was a response ?—A. No, I could not say.

By His Lordship :

Q. Has anybody been making any threats to you about giving evidence here ?—A. No.

Q. Are you a miner ?—A. No, a business man here.

By Mr. Woodburn :

Q. Did you come here this morning and tell me you heard that conversation ?—A. I didn't hear that. I tried to correct you when you told me I heard it the same as you did; I said I am not sure. What I did say was that I was at the corner, and he said, 'he might do that and more,' What it was an answer to I could not swear. You remember you corrected me this morning when I made that statement. I would not be sure to what fact it was an answer. That is all I did hear, and that I am prepared to swear.

HENRY CARROLL, sworn.

By Mr. Woodburn :

Q. What took place at the corner ?—A. I was taking part in the conversation between Mr. Shenton and Mr. Woodburn at the time, and Mr. Woodburn asked him, among other things, if he was prepared to give half of the commission that he received

for organizing Ladysmith towards the help of the strikers down here, and he said he would do that and more.

By Mr. Bodwell :

Q. Was it said in the way of a joke or serious conversation ?—A. It was a serious conversation. It was in regard to the support of the men down here. There was no joke on the subject as far as I could see. He kind of smiled, as if it were at Mr. Woodburn knowing that he had received any commission. That is the way I took it. He didn't ask, what commission, or anything; he said he would do that and more.

JOSEPH MCMURTRY, sworn:

By Mr. Woodburn :

Q. Mr. McMurtry, you were at the corner on Saturday evening when the conversation took place ?—A. Yes.

Q. Will you recite to the Commissioners what you heard ?—A. There was a general conversation going on about the position of the miners in Ladysmith here. Mr. Woodburn put the question to Mr. Shenton, was he prepared to give half of his commission to support the men that were needy, and he said he would do that and more. But I understood they were joking all the time ; I took it as a joke.

By His Lordship :

Q. Why did you think it was a joke—because of the smallness of the amount ?—A. It was a general conversation that was going on—they were laughing and talking about it. It was said in such a manner that I thought it was a joke.

Q. Are men liable to joke about how their wives and families may starve during a strike ? Do you think they usually joke about such subjects ?—A. They generally don't.

Q. Still, you think on this occasion it was a joke ?—A. That was the way I took it.

By Mr. Bodwell :

Q. That is, it was a joke that Mr. Shenton was receiving a commission—that seemed to be said in a joking way ?—A. That is the way I took it.

By His Lordship :

Q. Was it generally supposed among the men that Shenton was doing the organizing ?—A. I never heard any word of it before.

Mr. WOODBURN.—I could get some more witnesses, but people don't seem to like to come up and give evidence. There were some here, but they appear to have disappeared.

His LORDSHIP.—Why ?

Mr. WOODBURN.—I know one man has made himself scarce; one man who drew my attention to the fact that he had heard the same thing as I had given in the box.

Mr. BODWELL.—Has there been anything said to men who have been giving evidence lately.

Mr. WOODBURN.—I have been called foul names myself.

Mr. BODWELL.—By whom ?

Mr. WOODBURN.—Samuel Mottishaw, senior.

Mr. BODWELL.—What for ?

Mr. WOODBURN.—In regard to this particular evidence, I suppose.

His Lordship.—It may be proper for me to say that if it comes to me as Commissioner, or as a Judge of the Supreme Court, that any man, or body of men, are being intimidated, the law will be enforced to the full extent. If there is one thing the judges of this province are determined on, it is that law and order shall be kept. This is a free country, and if there is any blackguarding done, or anything of that sort by anybody, those people will find the jails and penitentiaries gaping for them. Now, let this be a warning. If you want that man you speak of subpœnaed, you can have him subpœnaed and brought here.

Mr. Woodburn.—I am not anxious about it.

Aaron Barnes, sworn.

By Mr. Wilson :

Q. Where do you reside, Mr. Barnes ?—A. Ladysmith.

Q. What is your occupation ?—A. Miner.

Q. How long have you been engaged in that occupation ?—A. Off and on, I have been engaged in it for almost 23 or 25 years.

Q. Where have you worked ?—A. I have worked at Wellington, Southfield and Nanaimo, and I have worked at East Wellington, at Comox and Extension.

Q. When you worked at Wellington, did you have a union there ?—A. No.

Q. Had you any union at Comox ?—A. Well, no, but we attempted at one time to form a union, or we did form a union, at Comox, and the result was that the officers of the union were discharged immediately.

Q. You were at South Wellington ?—A. Yes, sir.

Q. Did you form any union there ?—A. At that time there were no unions; that is a long time ago. There was no union in this country to my knowledge.

Q. Were you one of the officers who received your dismissal at Comox ?—A. Yes, sir.

Q. As a result of that dismissal, what effect did that have upon your working ?—A. The result was that I was victimized for about seven years.

Q. Did you afterwards work at Nanaimo ?—A. No, I afterwards worked at East Wellington and Northfield.

Q. Had you a union in all these places ?—A. At Northfield.

Q. Who had the management of the collieries at Northfield ?—A. Mr. Bryden ; Mr. Robins was superintendent.

Q. That was one of the New Vancouver Coal Company's collieries ?—A. Yes.

Q. In your relation, as to the union with your employers, how did you find the method work ?—A. It was friendly from beginning to end. Sometimes we had a little friction, but it was always amicably settled. Whenever we met Mr. Robins it was always settled amicably.

Q. Do you attribute that to the result of your organization ?—A. Yes, sir.

Q. And perhaps something to the tact and skill with which the manager treated his men ?—A. Yes, sir.

Q. The two things combined ?—A. Yes.

Q. You are a member of the present union ?—A. Yes, sir.

Q. Have you had much experience as a member of organized labour ?—A. Yes, I have had a little.

Q. Do you think from your experience that it is beneficial to the employer as well as employed ?—A. I do.

Q. Will you tell us in what way you think employers derive advantage ?—A. From the fact that whenever a question affecting the interests of either of the workingmen

or the operators comes up, they get together and discuss questions from a reasonable standpoint. It is usually settled amicably and the work goes on in the usual way.

Q. You think it is better for an employer to deal with an organization than with individuals ?—A. I certainly do.

Q. And you think it is also an advantage for the employee ?—A. Yes, sir.

Q. What are the circumstances under which this union here was formed ?—A. Well, I was not at the first meeting, but of course like the balance of the men I heard considerable talk pro and con, going back and forth, and from that I thought there was something likely to take place. In fact I heard it was thought that it would be an opportune time to work for an advance in wages, and they went to work to organize prior to that time, and in my opinion it was a proper course to pursue from the experience I have had with the gentlemen whom we are dealing with now.

By Mr. Rowe :

Q. Which was the proper course ?—A. To organize in the first place.

By Mr. Wilson :

Q. And when you organized, why did you organize in such a way as to become a member of an international body ?—A. Because a local organization is no good. We have tried that in this country, and we found it no good; that we must have an international organization to hold the ground.

Q. You might tell the Commissioners why that is ?—A. From an international standpoint ?

Q. Yes.—A. Well, it would be from the idea of obtaining support in case we should make a reasonable demand on employers, and they would be unwilling to grant it. If you were not connected with a body prepared to support you, why of course he would not in any way listen to your proposition. It is from that consideration, in my opinion that we should have an international organization.

Q. You think strength is derived from numbers in matters of that kind ?—A. Yes, numerical strength.

Q. And I suppose that brings a certain amount of financial strength also ?—A. Yes.

By Mr. Rowe :

Q. Would it have the same advantage if it was national with the same strength ?—A. No, I don't think so.

Q. Why ?—A. The international would be so much larger and consequently we have to assume it would be so much stronger.

Q. Suppose there was a national organization have the same numbers as the Western Federation, would you consider that as good ?—A. We could not have that in Canada, for the reason that the numbers are not sufficient.

Q. I am supposing that to be the case. Is there anything in the international part of it aside from the numbers ?—A. Yes, I presume there is.

Q. What is the advantage of being international, apart from its strength in numbers ?—A. I could not possibly say in relation to that, but at any rate it would be an advantage this way; that what affects one part of the country necessarily affects other parts of the country.

By Mr. Wilson :

Q. Did you ever have any conversation, or were you ever told anything by any of the officers or the management with respect to forming a union ?—A. Yes, at the time I refer to, a little time ago, that was at Comox, when we organized that union there, Mr. Ralph Smith was the agent of the Nanaimo Miners' Union—the Miners' and Mine Labourers' Protective Association. He came up there to organize, with the result, as I have said, that five men were discharged—officers of the union. We ascertained from

the superintendent, Mr. Frank Little, that he would have no union whatever. That was the reason of our dismissal.

Q. In the working of coal mines there are locations which are more advantageous to work than others—in which higher rates of wages can be obtained ?—A. Yes, there are different kinds of work.

Q. Without a union how do you find that the working of these favourable places is regulated ?—A. In some cases it is regulated by favouritism. It is always in the interests—I am taking the operators' view of the matter now—it is always in their interests to have a number doing well, in order to keep the balance quiet.

Mr. BODWELL.—This point has not been made before, and if it is to be gone into it may be necessary for me to call evidence.

By His Lordship :

Q. You say it is the policy of the company to pay a few men well in order to keep the balance quiet ?—A. Yes.

Q. Can you give a specific instance of that ?—A. I can. I can state instances where the men have always been engaged in good work ; and some men get paid for deficient work ; others don't get paid for it at all.

By Mr. Wilson :

Q. Can you mention the names of any of those who are in receipt of these favourable places ?—A. Yes, I can, there are Fred Grieves, Tom Spratt, Martin Dunsmuir, Andrew Robertson and the other gentlemen who gave evidence here; Martin Woodburn, Harry Carroll and William Smith. All these men are working in what we call narrow work, which from our standpoint is the best work in the mine.

By His Lordship :

Q. You say these are favourites of the boss ?—A. Yes, I say that.

Q. Supposing these men earn no greater than others whom you have not named ?—A. I have not recited them all; I have only recited a few. I know there are others who have made considerably smaller wages.

Q. And in your opinion just as good workmen ?—A. Some of them. It is only the difference in the work, you understand, that I am calling into question. Probably these men who have made smaller wages, working in other work, have not been able to make the same wages as these men.

Q. How does the union operate to prevent that ?—A. The operation of the union would see to it that these men did not get the preference in any way; it would be allotted more equally to the balance of the men.

Q. You think the union would make a fair proportion ?—A. Yes; where it is left in the hands of the officers of the company, why of course they are the ones to determine as to who should have these positions.

By Mr. Wilson :

Q. And the union being composed of workingmen they would naturally seek to assist each other, and these places would be equally divided ?—A. Yes, that would be the tendency.

By His Lordship :

Q. Could not certain cliques in the union get all these places to themselves ?—A Not by any means; there is what they call the cavil system; these places are thrown into a hat and drawn out.

Q. That would seem to be a fair way ?—A. Yes, but under the system we have now you cannot get that at all.

Q. That is what they do in England ?—A. I think so—in the north of England; I am told that that is the case.

By Mr. Wilson :

Q. Simply determining by lot who shall have the place ?—A. Yes.

By His Lordship :

Q. How often would these be made?—A. When we were at Northfield it was once every three months.

By Mr. Rowe :

Q. Did that work satisfactorily ?—A. Well, it did not go on so very long. I don't remember exactly the reason for its removal, but it gave some satisfaction at least. It was thought that favouritism existed there, and in order to do away with that they insisted on the cavil.

By Mr. Bodwell :

Q. And then they gave up the cavil ?—A. It was abandoned; I don't remember the reason for its abandonment.

By Mr. Wilson :

Q. Do you know whether the like system prevails elsewhere ?—A. In the north of England, I am told by men coming from that part of the country.

Q. The government of the union is by a majority ?—A. At all times.

Q. So there could hardly be said to be such a thing as a dominating clique ?—A. It is always controlled by majority vote.

Q. And the majority would see to the proper proportion of the best places in the mines ?—A. That would be one of its duties.

Q. I think you were one of the committee that waited on Mr. Dunsmuir ?—A. A few days ago ?

Q. No, about the time of the strike here ?—A. No.

Q. Was the strike here before or after the organization of the union ?—A. It was brought about before the organization of the union.

Q. The organization followed on the strike as a necessity ?—A. Yes.

Q. Then, the real causes of the strike here before organization were what ?—A. It was whispered around that owing to the duty being taken off in San Francisco an increase in wages should be given to the men; they thought they were entitled to a slight consideration in that respect.

Q. It is said that the union fixes things so that a weak and unskilled labourer makes as much as a skilled one ?—A. No, the unfortunate position that workmen are placed in in this country—I believe it prevails to a great extent in most mines—is that men are paid and not places—that is, generally speaking. Of course, the narrow work is always considered better paid from a miner's standpoint, but unfortunately, as I said before, under the system we have here men are paid and not places—not work, that is the position.

By Mr. Rowe :

Q. What is narrow work ?—A. It is work that goes ahead in order to open up the field of coal.

Q. Is that better paid ?—A. There is yardage attached to that. In driving stalls you drive them up grade, and you can always get your coal away better than you can from working stalls.

Q. Does it require any more skill for that kind of work ?—A. Yes, it requires a little skill in order to do narrow work; the narrow work is generally for opening up the field of coal.

By His Lordship :

Q. If there is more skill required there should be more pay, should there not ?—A. Well, of course, in my opinion that is a great fault; we are paying too much for skill in this country.

Q. Paid too much for skill ?—A. Yes.

By Mr. Rowe :

Q. And not not enough for what ?—A. For labour.

By His Lordship :

Q. That seems to give some colour to the theory that the effect of the union is to drag down a good man to the level of the weak man ?—A. The only case analogous to that would be in the case of the work; I believe in pay for the work, and as I said before, men are paid and not labour.

Q. Don't you think skilled labour should get more than unskilled labour ?—A. In certain work I would assume that that ought to be done.

Q. Then if it requires a certain amount of skill to do that work, why should not the boss have the selection of men to do that work ?—A. That is where the favouritism comes in; I know men who are working in narrow work that could not work in wide work; I know men of that description.

Mr. Bodwell.—Perhaps you had better give these names.

By Mr. Rowe :

Q. That is, some incompetent men are kept at narrow work ?—A. Yes, but there may be good ones with them.

By His Lordship :

Q. Would it not be as much as a boss's head was worth to put in incompetent men? Why is he put there ?—A. Favouritism, as I said before.

Q. Why ?—A. Perhaps if I had a particular friend, if I was placed in the same capacity, I might give him a lift and assist him into a good place.

Q. It is a personal regard ?—A. Yes, we all have friends.

By Mr. Rowe :

Q. I understand you to say that this favouritism is part of the policy of the management in order to keep certain men in good temper ?—A. Yes.

Q. And these incompetent men are men who have influence among their fellow-workers, and are put there ?—A. They have, to some extent.

By His Lordship :

Q. Then the manager ought certainly to have got you into one of these good places ?—A. I guess. I never happened to tumble into one; he probably made a mistake.

Q. It would look that way up to date.

By Mr. Wilson :

Q. Did you live at Extension part of the time, Mr. Barnes ?—A. Yes, I lived up there five or six months, I suppose; then I moved down here.

By His Lordship :

Q. You were working in the Nanaimo mines ?—A. No, at Northfield some time ago ; not in No. 1 or Protection.

AARON BARNES—Ladysmith, May 22.

By Mr. Wilson :

Q. Having lived at Extension for a few months, do you know anything about the quality of the water there, or sanitary conditions ?—A. Well, it was stated in Mr. Bryden's evidence that the water was no good. I know that Mr. Harris, one of the resident engineers of this province, told me that he had all the money subscribed to put a water plant into Extension, and levels taken from some lake to Extension; at any rate he had levels taken and money was subscribed, but Mr. Dunsmuir refused to give them right of way. Mr. Harris told me that.

By His Lordship :

Q. He told you the water could have been brought to Extension ?—A. Yes.

By Mr. Wilson :

Q. Do you know where the city of Nanaimo gets its water ?—A. No, I don't; it is somewhere in the lakes there.

Q. Do you know how far Harris would have had to go to bring the water you speak of ?—A. No.

Q. Speaking of the relative health of the two places, what have you got to say about that ?—A. There is one thing that has been overlooked in this camp here that has never been stated, and one that to my mind should receive the consideration of Ladysmith, and that is the smelter—the smoke. Last night you could cut it with a knife, with the wind blowing this way. I presume Mr. Dunsmuir might be interested in it, and for that reason, no objection is raised to it. But that smelter it certainly a disgrace to humanity. The roasters should be kept up in the backwoods somewhere. For my part, I would rather live at Extension any day in the week as far as health is concerned.

Q. Mr. Dunsmuir recently made a proposal to you with respect to the settlement of these difficulties ?—A. Yes, I have it here, if you wish to see it.

(Two statements produced, Exhibits 11 and 12).

His Lordship.—Are these alternative propositions ?

By Mr. Wilson :

Q. Yes, alternative offers. You see this one, Mr. Barnes. (Exhibit 11.) What do you say about that; the proposal is to be paid by way of 75 cents per 25 hundredweight. What was your former pay ?—A. The way I have this figured out it is an increase of 450 pounds to the ton; that is the way I have figured it out. Before it was —I am not positive on this—but I think it was 2,350 pounds considered to be a ton ; 2,350 pounds was the amount of coal that had to be filled by a miner, which constituted a ton.

By His Lordship :

Q. So that would now be 2,800 pounds ?—A. I think so.

Q. It was formerly 2,350 ?—A. Yes.

By Mr. Wilson :

Q. So that the proposal actually involves a reduction of nearly 20 per cent in your wages ?—A. Yes.

By His Lordship :

Q. The same wages, 75 cents as formerly, but an addition to the weight of coal ?—A. Yes.

By Mr. Wilson :

Q. And that figures out a reduction of nearly 20 per cent ?—A. Nearly so.

Q. And there is some change made as to the price of coal at the pit-head for the use of workmen ?—A. There is $1 put on that; we paid $1 before, now it is $2.

Q. In other words, so far from endeavouring to meet you, the arrangement proposes a reduction in your wages ?—A. Yes.

Q. What is the effect of that (handing witness Exhibit 12) ?

Mr. Bodwell.—That is an alternative proposition ?

By Mr. Wilson :

Q. Yes. What is the effect of that ?—A. So far as the $3 a day here is concerned in this second clause, that is considered to be the recognized standard of wage paid for day work, but in the event of the acceptance of a proposition of that kind, the company furnishes the helper to each individual, and it is not said as to what kind of a helper that might be in this proposition. He might be one of these long-tailed gentlemen—he might not—but that is an inference from my standpoint.

By His Lordship :

Q. What difference would it make, if you get the $3 a day ?—A. That would decrease the number of white men in the mine. That is the inference I have. I don't say that is the intention, but that is my inference. I don't know whether that is the inference of the union or not. It is of a very large proportion of them.

By Mr. Bodwell :

Q. Was there not a letter accompanying these proposals ?—A. Yes, I was asked to send them back, and I sent them back.

Q. And in that letter did he not say that he would employ every man who was a member of the union ?—A. I can give the substance of the letter, if it is required.

By Mr. Wilson :

Q. In addition to that you received from Mr. Dunsmuir a letter ?—A. Yes; I sent it back to him.

Q. Why ?—A. In consequence of a resolution that was passed at the meeting.

Q. So that the letter is in Mr. Dunsmuir's possession. Did you keep a copy of it ?—A. No, I believe I could relate it, word for word though. It read as nearly as I remember:

'To the Committee of the Wellington Colliery Company's employees: Gentlemen: I omitted in my letters handed to you yesterday, to state that I did not intend to discriminate against any of my workmen; all hands to be taken on that so desire, but with the understanding that they sever their connection—withdraw completely from the Western Federation of Miners.'

If we accepted the proposition. I would not swear that is word for word, but it is as near as possible. That is the whole letter.

Q. In other words, the proposition of Mr. Dunsmuir involved this reducing your wages 20 per cent and abandoning your union ?—A. Yes.

By His Lordship :

Q. By what majority of the meeting was this proposition refused ?—A. The resolution was put in this way: that these documents be sent back to Mr. Dunsmuir. We returned them. It was not considered at all in that shape.

Q. What was the majority ?—A. Over 75 per cent, anyway.

By Mr. Bodwell :

Q. Well, that is the alternative proposition. Mr. Dunsmuir's proposition was that you could go on at day work or contract work ?—A. Yes.

Q. If you took up day work, it would be $3 a day and every man employed. That is fair wages ?—A. I stated before that it was the customary wage.

Q. That is all, as a rule, where men work by day work, and you often work by day work when on contract work ?—A. Yes.

Q. When you find a place not good enough you can go on at day work, so that is practically if the men don't like prices to be paid for contract work, they can go to work at a price per day, which is always considered right ?—A. Yes.

Q. Why should not Mr. Dunsmuir be entitled to say he thinks he has been paying too much for contract work, and that he will put on day work ?—A. Assuming we acceded to that proposition of day work, Mr. Dunsmuir would be in a position to say who should go to the face and dig coal, and who should not.

Q. What difference does that make to you ?—A. The man who would go to the face and dig coal would get $3. The man who would work as his helper might get $2. He might be a good miner, and they would say, you cannot go to the face at all.

Q. What possible object could the company have in sending incompetent men to the face ?—They are paying by day work, so they want to get the most work they can.

Q. What reason can you state for sending poor men to the faces ?—A. I have said favouritism occurs. They might undertake to send a favourite in, whether competent or not. There are men who are competent in the mine, but I am referring to men who are not in a position to do work.

Q. Are the company going to injure their own interests and put incompetent men to do the work, because they want to favour particular men ?—A. There might be anothe another reason. If we severed our connection to this extent, then we would be at the mercy of Mr. Dunsmuir.

Q. You were going to get a two years' contract ?—A. Yes. Assuming that we did sever our connection with the Western Federation of Miners, men that have made themselves very prominent in connection with unionism—they might say, well, we won't allow these men to go to the face, and those men would eventually leave.

Q. Do you believe that is the intention ?—A. Well, judging from past history.

Q. If you did, why don't you make a counter proposition to Mr. Dunsmuir; if that is the only trouble you had. He sent you a letter, saying he would not discriminate. You assume that he doesn't mean what he says. Why did you not have the decency to put a counter proposition, and have him put that in the agreement ?—A. I had no authority to put any proposition.

Q. And you never advocated any such counter proposition. Does that not look as if you wanted to keep up the trouble instead of settling it ?—A. That may be your conclusion, of course. This proposition, as it has been submitted, conformed to a former statement made by Mr. Dunsmuir himself; that he intended to look for concessions instead of the men looking for an advance.

Q. Here is the proposition ; for all the men to go on day work at the regular standard wage that has always been satisfactory. Your only reason against it is the suspicion in the minds of the men that the company are not going to carry out the spirit of the agreement ?—A. It does not cover other grounds.

Q. Why did you not make a counter proposition ?—A. Because the opinion is that Mr. Dunsmuir never intended to treat his men fairly.

Q. You are simply blind with prejudice ?—A. Not by any means, but I don't object to your drawing your own conclusions.

Q. Here is the proposition ; I am trying to bring your mind to this ?—A. I have done as much as any other man to bring this matter to a settlement, but when I find his proposition unreasonable, I say that Mr. Dunsmuir does not intend to bring this thing to a settlement. One of the committee that was appointed at the same time as myself made a statement that we would be surprised when we got the proposition from Mr. Dunsmuir. He told me he got it from one of the officers of the company. He meant we would get something we were not looking for.

Q. Apparently you got what you were looking for. Suppose we just consider the day work proposition in the first place; the only objection you have is that there is

no guarantee against the Chinese, and, second, that Mr. Dunsmuir will discriminate, and not give the men who have been prominent in the strikes a chance to work ?—A. That is a reasonable inference.

Q. Why didn't you put that in writing and ask Mr. Dunsmuir if he would consent to it ? Why didn't you ask Mr. Wilson to draw it out, so that your rights would be protected ?—A. That would be a question for the union to consider.

Q. Well, you could have advocated the union doing that ?—A. Not with the understanding that the proposition laid down is that we withdraw from the Western Federation of Miners.

Q. Will you advocate that Mr. Wilson shall put into writing a form of words that will protect you on all points in dispute, and submit it to Mr. Dunsmuir ?—A. No, I will not. I feel satisfied that it would not be entertained one minute by Mr. Dunsmuir; I feel satisfied on that point. We have a right to infer that from the attitude of that gentleman in the past.

Q. Do you really want to get a settlement of this matter ?—A. I do.

Q. Then why don't you take reasonable steps to bring it about ?—A. We have taken as reasonable steps as possible.

Q. What do men do in the ordinary course of business—don't they put an alternative proposition ? Mr. Dunsmuir's agreement does not necessarily mean he is going to employ Chinamen or discriminate. Why don't you put that specifically in legal words if you want to bring about a settlement ?—A. The idea is this. I see the position you want to get us in. There may be this possibility—and it looks very much like it to me—that he may have submitted this proposition for the purpose of leading us on to further correspondence in this matter; that once we take upon ourselves the responsibility of discussing this matter with him, it is from the standpoint of severing from the Western Federation of Labour. That is just the position he puts us in.

Q. Then we get back to this : that there is no use discussing anything unless you are prepared to stay in the Western Federation of Miners ?—A. I presume that is the opinion of the majority in this camp.

Q. Then what is the use of discussing it ? The standard wage that you have worked on has been $3 ?—A. Yes.

Q. And that is the way they work at Nanaimo ?—A. I guess so.

Q. Will you undertake to say that every man in this camp does not agree that $3 is a fair day's pay ?—A. That is the usual rate.

Q. The only real trouble with that agreement is, you don't want to withdraw from the Western Federation of Miners. Now, then, you say the other work involves a reduction of 20 per cent ?

By Mr. Rowe :

Q. I understood the witness to say that the miners would not entertain any proposition involving withdrawal from the Western Federation ?—A. No, I didn't say that; involving the complete withdrawal from the Western Federation. If Mr. Dunsmuir made a reasonable proposition there might be a possibility that they would entertain it.

By His Lordship :

Q. $3 a day is reasonable, is it not ?—A. It is the stipulated wage.

Q. And the only question is the Western Federation ?—A. That is the question.

Q. And if Mr. Dunsmuir insists that he is not going to employ any men, and you insist that you won't give up the Federation, what then ?—A. It will be a battle to the end, I suppose.

Q. And the result will be, as far as I can see, that Dunsmuir will simply employ other men. The law in this country doesn't make any man employ union men. Until that law is changed, you have to deal with it.

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By Mr. Rowe:

Q. We were told in Nanaimo that the company pays 68 cents a ton on contract work. Would 75 cents a ton for 2,850 pounds be more or less than 68 cents for 2,350 pounds ?—A. I don't know what they pay there.

By Mr. Bodwell :

Q. Do you think that Mr. Dunsmuir, being in competition with the Western Fuel Company, should be compelled to pay more for contract work than the Western Fuel Company—do you think that would be fair. They pay 68 cents a ton there for 2,350 pounds, and Mr. Dunsmuir says he will pay 75 cents a ton of 2,850, or 2,800 pounds—is that not fair. Why should Mr. Dunsmuir have to pay his men more than the men in Nanaimo when he has to sell coal at the same price ?—A. You are drawing upon your conception of what they get there; you are assuming that they pay less than they do here.

Q. How much difference is there between the prices—68 cents for 2,350 pounds, and 75 cents for 2,800 ?—A. There is some slight difference.

Q. Not very much; I think they are about the same thing ?—A. Mr. Dunsmuir told us that if we would sever our connection with the Western Federation of Miners, and refuse to follow men like Baker, that he would deal fairly with us.

Q. Is that dealing unfairly with you—to pay you the same as at Nanaimo ?—A. They get pay for deficient work at Nanaimo.

Q. Do they get more pay for deficient work ?—A. I think they do, but I have no more proof than you have.

Q. Will you say that if the scale of deficiency payment is practically the same at Nanaimo as at Ladysmith, is it fair for Mr. Dunsmuir to pay more per ton than the Western Fuel Company ? Is that treating his men unfairly ?—A. We are discussing the question of the relative wages in these mines. I don't know what they pay there.

Q. I am telling you they pay 68 cents a ton ?—A. I don't care if they pay $1.50.

Q. Where do you make out the unfairness of it ? How is it unfair for Mr. Dunsmuir to pay his men here——

Mr. Wilson.—Because it is 560 pounds more.

Mr. Bodwell.—It is 68 cents for 2,350 pounds at Nanaimo, and Dunsmuir proposes to pay 75 cents for 2,800.

His Lordship.—There is a difference of 3 cents in favour of the Dunsmuir offer; that is the way I make it out.

By Mr. Bodwell :

Q. Yes. Now where is the unfairness of that ? He has to sell coal at the same price as the Western Fuel Company. What complaint have you got ?—A. We have the complaint that the coal field in Nanaimo is a little freer to mine.

Q. But you could work by day work ?—A. I understand that thoroughly well.

Q. Why don't you work at day work—there are some good places ?—A. Yes.

Q. When you are working on contract work and get in a poor place, does not the foreman always give you the option of going on day work ?—A. Not always.

Q. Where you get in a poor place and not making $3 a day that the foreman won't allow you on day work ?—A. No. I can get men in this camp to disprove that statement, I can bring men to show that they had not the option of going on $3 a day.

Q. Was it not because they could make more than $3 a day at contract work ?—A. That was the assumption. The last digging of coal I did I worked for something less than $2.50 a day. I worked 16 days and got something like $32.

Q. Why did you not ask to go on day work ?—A. It was no use to ask, I don't suppose.

Q. If you didn't ask you have no complaint. Tell me any competent man working in a place where he could not make $3 a day at day work ?—A. I can bring you men.

Q. Will you undertake that they were good competent men ?—A. You are asking me to assure too much responsibility.

Mr. Rowe.—Has the whole body of the miners got to accept one or other of these alternatives ? Is it not an individual contract ?

Mr. Wilson.—There is no doubt about that from the way the contract is worded.

By Mr. Bodwell :

That cannot be so from the practice of the mine. It has been the practice of this management that if a man could not make wages at contract work, to allow him to go on day work, and it cannot be assumed that that rule would be changed now, and I have no doubt that Mr. Dunsmuir will say what the documents are intended to mean—that it will be contract or day work, as has always been the case—if a man cannot make $3 a day at contract work he will be put on day work.

Q. Will you object to the proposal if that is made clear ?—A. I should certainly object from an individual standpoint, if it was insisted that I must withdraw from the union.

Q. That is the $3 a day offer ?—A. Any offer. I claim the right to belong to a union.

His Lordship.—I may say that the Nanaimo offer is more favourable. It is 34 pounds for one cent, and under this present offer they would have to dig 37 pounds for one cent. I must have been mistaken in my former figures.

Mr. Bodwell.—That would be 14 pounds more in the ton.

His Lordship.—Three pounds more for each cent.

By Mr. Bodwell :

Q. I would like the witness, if Mr. Dunsmuir would make an offer which would justify him in withdrawing from the union—I would like to know what kind of an offer that would be ?—A. I cannot say what kind of an offer they would expect, but it would have to be better than that.

By His Lordship :

Q. When they get an undertaking not to discriminate, and $3 a day, I cannot see, speaking for myself, what more they could want, other than a two year contract ? —A. There is one provision in favour of not withdrawing from the Western Federation of Miners——

Q. What is the necessity for it if they settle this for two years ?—A. We have had so much experience with this man in the past that really any statement he makes is not worth the paper it is written on. It stands as an absolute certainty in this country. And if this organization was in existence and had good strong backing probably they might be able to see to it that justice was done.

Q. They don't seem to have been able to do anything for you heretofore. You have been out two months, and you have not got any aid to speak of ?—A. We will probably have millions of dollars coming in after a while.

Q. How are you going to get a million dollars if the whole state of Colorado goes on strike ?—A. I know your Lordship is anxious to see a settlement, but that is looking at the dark side. I can see a sunny side to every proposition ; I never look at the dark side.

By Mr. Bodwell :

Q. Do you mean to say that Mr. Dunsmuir cannot be made to carry out a contract that he puts his name to ?—A. Not under these circumstances.

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Q. Not under the laws of this country ?—A. He is the law of this country.

His LORDSHIP.—I don't think Mr. Dunsmuir could afford to outrage public opinion by not living up to the contract.

Mr. WILSON.—Apparently he does not care much for it now.

By His Lordship :

Q. That appears to be an ultimatum then, as far as the majority of the men are concerned—that they will not withdraw from the Western Federation, no matter what wages are offered ?—A. It is not that perhaps, but, as I said before, it might possibly have been somewhat different, had a favourable proposition been made.

By Mr. Rowe :

Q. Would the men consider a proposition involving their withdrawal ?—A. I am not in a position to say that. This is the proposition that has been made.

By His Lordship :

Q. To my mind it is rather a serious matter for the men who are in control of this movement. It seems to me half a dozen men are taking a serious responsibility in regard to the position of the families ?—A. If you refer to me, I have scarcely said one word in these meetings in relation to any question.

Q. It is plain to see that the men have a good deal of confidence in you ?—A. They know this much : that when I make a statement, I am always prepared to carry it out.

Q. The position is that you have an offer for a two-year contract, the wages to be standard wages which you say are reasonable wages. It carries out your view of a uniform rate of wages. There is to be no discrimination as to the men on strike—all shall get work. I don't see, speaking for myself, what more a man could ever expect, except this miserable question about joining a union ?—A. Assuming that to be the case—we would withdraw from the Western Federation. We assume that Mr. Dunsmuir did attempt to discriminate against any man. There is only one alternative for each individual—to take what is pushed out to him.

Q. If there is any comradeship among the men, and they came to the conclusion that any men were being discriminated against, they could step out and inaugurate another strike ?—A. I will tell you if I thought for one moment that a proposition of that kind would be carried out I would be willing to accept it, but in my opinion it would not be. If we were disbanded there is no organization; there is no bond of union. It is impossible to act together without a union. I would just as soon tell Mr. Dunsmuir to his face. If we were dealing with a man we would put confidence in, but we have had so much dealing with him.

Q. Mr. Bodwell says you can have your own lawyer and secure the agreement at all points of the compass. It is nonsense talking about standing out for joining the Western Federation. If you could not get a two-year contract there might be a great deal to be said ?—A. I can assure you that if the men should undertake to make a proposition of that kind I would have my opinion still. I don't want to confine the sentiment to the balance of the public here; they are at liberty to do as they please. I have always refrained from saying anything for fear that it might prejudice the minds of a great many of the men. When I once take a stand and I consider I am right I don't move.

Q. Don't you see that while everybody concedes you the right in the abstract to join any union you see fit, on the other hand the law allows an employer, if he sees fit, to employ non-union men. His rights are no greater than yours, and yours no greater than his.

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By Mr. Rowe :

Q. I suppose it is understood that the company won't take any man into their employ except under the terms of this agreement ?—A. I presume if the proposition was accepted they would not employ anybody at less wages ; I would not say they would not do that.

By Mr. Bodwell :

Q. What you call narrow work is really development work in the mines ?—A. Yes.

Q. Is it not important, in the interests of all concerned, that that work should be well and carefully done ?—A. I believe it is.

Q. And would not a good manager, in the ordinary course of business, put their best men there in their own interests ?—A. I might answer that question by asking another——

Q. I will put it this way. If you were the superintendent or manager of a mine, would you knowingly employ any incompetent men on narrow work ?—A. In some instances. I might think certain men competent unless I had a practical knowledge of these things myself. Assuming the question is put this way: it is assuming that the official is a man capable of judging whether he is a competent person or not.

Q. He has no business there if he is not ?—A. Well, unfortunately, there are some.

Q. Do you want to make that charge ?—A. No.

Q. I am putting you there; you are in that position. Do you mean to say you are not a competent man. I am supposing you are in that position; I ask would you knowingly employ an incompetent man on narrow work ?—A. No, I don't think I would, but there are other men that are just equally as capable of judging as to whether a man is competent or not.

Q. You mean that the man who is responsible for the proper conduct of the work should surrender his judgment to other men who are not responsible ?—A. Assuming there was a union in existence. I think there would be a lot of men who would be just as familiar with the working of the mine—in relation to the competency of the men, at least, and if they met together they might be in a position to determine who should act and who should not.

Q. That is just the effect of unionism, to take away from a man his responsibility, is it not ?—A. No, that is probably an extreme case; I have referred to that before as being favouritism.

Q. Favouritism may exist, but it does not necessarily exist ?—A. I know of men who have been promised this narrow work for weeks.

Q. Give me an instance ?—A. I can give you one instance; a man by the name of Harry Hughes.

Q. Where was he working ?—A. In No. 2, under Dave Wilson.

Q. Where was he promised narrow work ?—A. Whenever any narrow work was to be opened up; he has not got it yet.

Q. Has there been narrow work to give him ?—A. I don't know that there has.

Q. Then what do you mean ?—A. What is the use of asking me the question if you don't——

Q. Give me the next instance ?—A. There is new work opened up all the time.

Q. Tell me the names of the men who have been refused narrow work where it properly belonged to him ?—A. That is another question.

Q. You said you could give an instance ?—A. I gave an instance. I did not say I knew of a person who refused this, though I think I could find such a person.

Q. Tell me an instance ?—A. I don't know of any.

Q. Just that one man ?—A. Yes. If I had a little time I believe I could give you quite a number.

Q. Do you say that Graves is not a good miner ?—A. He is.

Q. Is Spratt ?—A. Yes.

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Q. Is Dunsmuir ?—A. Yes.

Q. Mottishaw ?—A. Yes.

Q. Carroll ?—A. Hs is fairly good.

Q. Do you say Carroll is incompetent to do narrow work ?—A. No, he might be competent.

Q. Why should the management want to put a man there who cannot get ahead of the work ?—A. That is assuming they understand he is competent.

Q. What about Smith—is he a good man ?—A. Yes, I believe he is a fairly good man.

Q. Why should the management not put these men on narrow work, and put your choice in ?—A. I didn't say we were going to have a choice of men. There should not be one set or particular class of men engaged in this work all the time, making the best wages.

Q. You said they should be chosen by lot; would you advocate that ?—A. I believe it would make a change, the cavil would be all right.

Q. Beneficial for the management or the men themselves ?—A. It might.

Q. Would you advocate putting the favourites of the management out in order to put the favourites of the union in their places ?—A. Not by any means.

Q. Are there narrow places enough to go round ?—A. No.

Q. Does not your proposition involve either that the favourites of the management have got to be put out in order to put the favourites of the union in ?—A. Not by any means.

Q. That is a matter of argument ?—A. If they had the cavil each and every individual would have a chance at the work.

Q. And would have to take a chance of getting unfit men ?—A. If that were so, there is remedy for that.

Q. Now, this narrow work is paid by the ton and by yardage ?—A. Yes.

Q. How is it that the favourite gets any advantage. He has to get out the coal in order to get his money ?—A. Yes.

Q. And if he does not get out the coal and does not make wages, they allow him deficiency ?—A. Yes.

Q. The only favouritism is getting in the place. Supposing a man were put in out of favouritism—a poor man— in narrow work, he would not be able to make the wages anyway ?—A. He would have a chance to make better wages than in other work.

Q. And you think that should be the policy of the management. That the boss would put men in who could not do the work in narrow places where there is bound to be a deficiency in the work. How long do you think a boss would last who acted on that principle ?—A. Whatever policy they might have is another question.

Q. How long do you think a boss would last if he pursued that line ?—A. A boss can last as long as he is prepared to work things for the benefit of the company, and no longer. The men must take out other material as well as coal.

Q. You think they would be given allowances ?—A. Yes, some get allowance.

Q. And the suggestion would be that there was corruption. To prove a system of corruption you have to prove it in the management from the start to finish in order to establish your case. You first have to prove favouritism in the boss in putting his own men in narrow work, and subsequently you have to allow those above him to be corrupt ?—A. A man acting in the capacity of boss could see that the management does not know anything about it.

Q. And what does the management say when he does not get the coal out ?—A. Well, they put his pipe out, I suppose.

Q. Have you the temerity to state that this is a state of affairs existing in this mine ?—A. Favouritism is shown, certainly.

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Q. The only instances you can give are the names you have mentioned ?—A. I guess if I had thought of a question like that coming up I could get more. I gave you a few just to show you how things are done.

Q. Go ahead and give the list. I will give you until after lunch or until to-morrow to get your list ?—A. If you consider it essential to do that, all right.

Q. Do it if you can.

By Mr. Wilson :

Q. The effect of that agreement is that it touches the miner alone and nobody else ?—A. Yes.

Q. And the result might be to put a great number of men out of employment who are now employed in the mines ?

His Lordship.—Which agreement ?

By Mr. Wilson :

Q. The one relating to the $3 a day ?—A. The agreement reads that all men will be taken back who are now out, but there is not more than half the men here.

By His Lordship :

Q. That is not Mr. Dunsmuir's fault ?—A. No.

By Mr. Wilson :

Q. The agreement, as I understand it, is with the miners and not with the labourers ?—A. Yes, they can send you a labourer—whoever they wish.

By His Lordship :

Q. Why should you object to that if you get your $3 a day ?—A. Well——

Q. Your union is composed of miners—not mine labourers ?—A. There are some labourers digging coal.

Q. As I understand this proposition, it involves all these men going back at $3 a day ?—A. It probably might not mean that.

Q. Why don't you find out ?—A. It may mean that some would be employed at $3, and others might be employed as labourers. You see the company—assuming this proposition was accepted—the company would be at liberty to determine who should go to the face and who should not.

Q. What difference does it make to you, if you get the $3 ?

Mr. Wilson.—The agreement does not read that way.

His Lordship.—Instead of guessing at what it means, why don't you find out exactly what it does mean ?

Mr. Wilson.—It is an agreement for the miners to dig coal and nothing else ; it is an agreement with the coal miner and no one else. There is nothing in there which binds Mr. Dunsmuir to anything.

His Lordship.—I understand that the effect of the letter with the agreement is that all the men go back. If you are anxious to reach a settlement, surely you might make a counter proposition. What you should do is to narrow down the issues, and if you can narrow down the issue to that question of joining the union, the public will know exactly where you stand.

By Mr. Wilson :

Q. There was a proposition made, was there not ?—A. Not that I know of. As to all the men going back to work—assuming they did go to work at $3, that would be digging coal at the face. Each man has to have a helper. What class of people will they be ? We know nothing as to that.

Q. You were asked a question as to the men being blind with prejudice. Did it ever occur to you that Mr. Dunsmuir's mind is blind with prejudice against yourselves ?—A. Certainly, he has always been.

Q. There is nothing more you want to tell the Commissioners ?—A. Not that I am aware of.

By His Lordship:

Q. Is it not possible to have favouritism in a union ?—A. I don't think so ; not relative to work ; I don't think that can occur. It would have to be governed by a majority of the membership, and whatever the majority determine on they would have to act in conformity with them. I admit there is a probability that the majority may be wrong ; they are not always right, but taking all things into consideration I believe that if a union were treated properly they could make things somewhat better.

Q. Suppose the executive of the Western Federation assumes to call you people out on sympathetic strike, what action would you take ?—A. On a sympathetic strike. If we had no grievance with their employer, I don't think it would be right to go out. If I made a contract with this man here, I don't care how long the term, I would not undertake to accept any request from the Western Federation in violation of that contract. That contract would have to be carried out so far as I was concerned.

Q. If you agreed to work for him for two years, assuming that there was no difficulty between you and him, you would consider you were not bound to go on sympathetic strike for two years ?—A. That is binding on me.

Q. What is the opinion of the men so far as you know ?—A. I believe they would do it ; that is my opinion of the men, but I would not like to speak for all.

Q. The reason I ask is that there is a circular purporting to be signed by Mr. Estes on behalf of the U.B.R.E. in which he says he has the consent of the Western Federation to call out all the Western Federation on the Island ?—A. At the moment ?

Q. In a few days ?—A. That would not occur in my case. If I made a contract I would consider it binding on me; there is no use in making a contract unless you do.

Q. You think that a coal miners' union of all the coal miners in British Columbia would not answer all legitimate purposes ?—A. No, it would do nothing. We might as well have no union. We tried that before.

Q. You have only had a local union ?—A. They attempted to amalgamate at Alexandria and Nanaimo. They went out to a meeting at Alexandria some time ago, and a meeting in Nanaimo. Extension was supposed to go, but a number didn't go. When Mr. Dunsmuir learned of that he closed down Alexandria, and I believe it has been closed down ever since.

Q. Now, by the constitution of the Federation, any settlement between the union and employer must be approved by the executive before it is binding. That is the constitution, I believe. Do you think it is reasonable that employers in this country should have to consult people outside of the country before they can come to a settlement ?—A. I recognize no boundary line from a labouring standpoint. I would just as soon the headquarters were at Denver as Montreal.

Q. Cannot you see that an employer would have reason to mistrust allowing his men to join a Federation having control over them outside the province and where our law cannot reach ?—A. He might have that, but there is not——

Q. The position is this : that any settlement, before it would be binding on you, would have to be approved of by men at Denver, whom he knows nothing about, and whom there is no law to reach ?—A. We can make a settlement without them.

Q. Yes, but it has to be ratified ?—A. Yes.

Q. Why should an employer have to submit any proposed agreement to people outside of this country ?—A. They don't have to do that. Whenever a settlement is reached the men concerned in the settlement of the dispute, they do settle it then, and they just call on the executive, I believe, to endorse it.

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Q. 'Any contract or agreement entered into between the members of any local union and their employers as a final settlement of any difficulty or trouble that may occur between them, shall not be considered valid or binding until the same shall have the approval of the executive board of the Western Federation of Miners.'

That means the employer could not get a binding settlement with his men, if they were members of this union, unless some one at Denver said that settlement was a proper one ?—A. That is taking an extreme case.

Q. That is plain language ?—A. Yes, I admit that. The question has never been raised, to my mind.

Q. Would not an employer be reasonable in having some misgivings in allowing his men to join a Federation which had that power ?—A. Well, of course, if he understands you feel disposed to crush him he would have that power, but I know of no instance where that has occurred.

Q. At present, Mr. Barnes, I don't see how you can say any employer is unreasonable when he takes the stand of not wishing to have settlements submitted to foreign authority, or authority outside the country ?—A. That is his business, of course, but in order to ascertain whether this institution intends to do right or wrong is to give it a test.

Q. But the point is, he does not choose to allow these people to have anything to say about it. Why should not a man have the entire and exclusive right to say that ?—A. That is what they have.

Q. He has not, under the constitution ?—A. Supposing we withdraw from the Federation at the moment; that might involve serious consequences so far as the membership is concerned.

Q. There is the clear difficulty that an employer, before he can get a binding agreement with you, has got to see to it that that settlement receives the favourable opinion of people outside of the country altogether ?—A. They, of course, recognize the boundary line. For myself, I recognize no boundary line at all.

By Mr. Rowe :

Q. Would it not be an objection from the employers' standpoint to have his agreement subject to the revision of a body of that kind, even in Montreal ?—A. Yes, I would agree in that case. He would raise the same question there.

Q. Why should he not have a right to object to his men belonging to such a concern as that ?—A. He has that right. The same rule might prevail if the headquarters were in Montreal, but I recognize no boundary line between me and the United States; there is no boundary line as far as the workmen are concerned.

By Mr. Wilson :

Q. Not much, either, from the employer's standpoint, when he wants to sell his coal ?—A. Yes, if they would say, we don't want your coal, what would be the result.

His Lordship.—The difference is this : the man here who sells coal to a man in San Francisco, does not require to have his agreement ratified in Russia before he can carry on business.

Witness.—The fact of the matter is this: we are too loyal to our country, unfortunately. I don't propose to be loyal to any institution that is not good. If it is not good from a workingman's standpoint, I don't see that it is any good. If there is poverty and distress in that country I am not loyal to that country, no matter what it might be.

By Mr. Rowe :

Q. I think there is only one way of looking at it—that a man who is not loyal to his country should get out. Though I don't think that applies in this particular instance ?—A. No, I don't think so.

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By His Lordship:

Q. How would you suggest that a settlement should be made ? Take this case—there cannot be any conciliation—what law would you suggest to reach a case of this kind ?—A. Well, that proposition would require going into some things we have not gone into yet, in order to consider to what we should submit in order to do away with the causes of these difficulties. I neither believe in conciliation nor compulsory arbitration, since it won't settle it. For instance, unless you are in a position to control the members of the committee, compulsory arbitration will only work one way—that is in favour of the operators.

Q. It has worked heretofore in favour of the men in New Zealand ?—A. We have different information on that.

Q. There can be no two different opinions—75 per cent of the awards have been made in favour of the men ?—A. They probably have not come to a time when they might have to drop prices down, to compete in the market.

Q. That is the trouble ; the awards have been made on a rising market ?—A. While the operators have control of the market they can sell their goods at any price they please. For instance, a board could not decide and say to the operator, you shall carry on your industry at a loss, and there is only one party who can lose on that transaction—that is the labourer. Conciliation, as we understand it in this country, and as it has been introduced into the House, is about the same thing.

Q. I suppose the only remedy is to continue to fight until the weaker party gives in ?—A. Under existing circumstances that is the result, but I think if you will pass a law in this country to stop the giving away of the resources of the country—the mines—that would be a solution of the question to some extent.

Q. It would not solve this ?—A. No, but if they would put a tax on the land that is standing free of taxation it might induce the men to open it up in order to get the revenue from it. While things stand there is no solution that presents itself as more feasible to me. Taxation of land values is the proper thing, in my opinion.

Mr. WILSON.—I should like to mention the result of the figures, and the difference between here and Nanaimo. If a ton at Nanaimo is 2,240 pounds—the regular weight is 68 cents, then, assuming the cent to be the unit, a fair price for 2,850 pounds would be 81 cents.

Mr. BODWELL.—The actual difference in the amount of coal between here and Nanaimo would be 166 pounds. For the same money, Mr. Dunsmuir gets 166 pounds more in a ton.

His LORDSHIP.—It is not as good as the Nanaimo standard.

Mr. WILSON.—It is just six cents a ton less.

His LORDSHIP.—I make it out that they have to dig three pounds more for a cent. That would make it 166 pounds.

What I would like to see would be some counter proposition from you. If you people want to settle, there is nothing like making a proposition. The public will very naturally assume that the real question is whether they are to be allowed to join this foreign organization or not.

Mr. WILSON.—Mr. Dunsmuir's standpoint is he won't have any form of union.

His LORDSHIP.—The men say they won't have anything except an international organization, as a local is no good, so the whole question is whether they may be allowed to join this foreign organization.

Mr. ROWE.—I should think a trade agreement covering a period of years would be a good thing.

WITNESS.—We don't wish recognition of the union. All we want is to make an agreement with him, and that we leave out the union entirely, but that is left to us entirely ; that is our business.

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Mr. BODWELL.—You won't agree to give up the union.

Mr. WILSON.—Surely they have the right. Mr. Dunsmuir insists on his right to do what he pleases with his own property, and they insist on doing what they like with their own person.

His LORDSHIP.—Their position would be much more favourably considered by the public if they insisted on joining a Canadian organization which the laws of Canada could in some way control. If they undertake to thrust themselves on an employer as members of a foreign organization, where there is no control, it is a different question.

Mr. ROWE.—At the same time I think it should be taken into account that most members of unions are members of an international body.

His LORDSHIP.—Their constitutions differ very materially.

WITNESS.—I will tell you what would be the matter with Mr. Dunsmuir. We have been asked to withdraw from the Federation in order to give the Commission a chance to report in connection with the matter, and then the probability was that it would be taken up afterwards. What is the matter with Mr. Dunsmuir giving up his opposition for that length of time? What is the matter with trying that? If the Commission find that we are not to be allowed to join a foreign organization, we should have to sever our connection whenever the law was made. In my opinion it would be a very dangerous legislation for any government to undertake, particularly towards a friendly class of people.

Mr. BODWELL.—I don't think it is necessary to go into the suggestion of favouritism. If the Commissioners think it well I will call witnesses upon it, but I think Mr. Barnes has disposed of that question on his own evidence.

ALEXANDER C. THOMPSON, sworn.

By His Lordship:

Q. What is your occupation?—A. I am a printer, or newspaper man; practical printer, and have also worked as reporter and editor.

Q. Are you a member of a union?—A. I am a member of the Typographical Union: I also consider myself a member of the Western Federation of Miners.

Q. Are you a member?—A. I have been dropped from the membership for non-payment of dues, but my membership could be revived by payment of back dues or a portion of them.

Q. What lodge was that union?—A. May I ask the indulgence of the court in this matter. I will give them that information privately, because that would have a connection with certain evidence I expect to give. I will give the court the date and name of the lodge and so on, privately.

Q. Have you made application for reinstatement?—A. No. I may explain that I am not a practical miner, though in quartz mining I have done some work, although I don't consider myself a practical miner. I became a member through my employment by the Western Federation as editor and manager of its official organ, that is in the province of British Columbia. That was before it had an official organ at Denver; the 'Miners' Magazine' was not in existence.

Q. What was the name of the organ?—A. That was one of the things I will give your Honour.

Q. What is the objection to its disclosure?—A. Exactly that I expect to describe things that happened in this union in connection with the executive, and it might not be a good thing for the organization or for the men as to what union that occurred in.

Q. Well, we will have this information in private.—A. Before the executive of the union considered that I should be made a member of the union, it was considered advisable for me to be perfectly conversant with the inner workings of the organization. So I was initiated, and as a matter of fact, acted on the executive board. I was always taken into their consultations and meetings, but without a vote.

Q. Do you mean the general executive at Denver ?—A. The executive of British Columbia, District No. 6, I think it is. This union—the local union to which I belonged then—I may say I have attended a large number of meetings, at Rossland, Greenwood, Silverton, Nelson, New Denver and Ymir. I also attended one convention of the district union and appeared before committees and before the whole membership at two other conventions. This paper was not owned by the local union of which I was a member, but was started to a certain extent by the District Association, and by contributions from the other local unions. I was simply a salaried employee. At the time of my first connection with the union the membership of that particular union was probably 900 in good standing.

Q. What year was this in ?—A. Well, 1900—no, I became connected with the union in the autumn of 1899, but the principal occurrences of which I am going to speak occurred in 1900. The membership was about the same, though. In the spring of 1900 internal dissensions arose in the union, the membership fell off—they arose partly over union politics, and largely over political questions. The union became weakened, and the employers in that camp commenced gradually weeding out the strong men of the union. The brainy members of the union would find themselves discharged for some trifling cause, sometimes without any, at one mine in the camp. He would find it impossible to get employment at any other camp, and was so compelled to leave and seek work elsewhere. This went on for probably three months, and we found we were losing all our good men—the men we would have to depend on in case of trouble. We were led to believe that it was a concerted action on the part of the mine-owners, that they had an understanding to weed out these men, and to kill the influence and the power of the union in that camp. Permission was asked of the executive to inaugurate a strike for the complete recognition of the union in these mines.

By Mr. Rowe

Q. The Denver executive ?—A. Yes, the Denver executive. By the way, I don't know that it was required, but the executive of the British Columbia Association was taken fully into our confidence, and they fully approved of the action which we proposed to take.

Q. To go on strike for recognition in all the mines in that camp ?—A. Yes, so that it might be impossible for the mine-owners to gradually break up the strength of the union. This request was refused.

Q. The request was refused ?—A. By the Denver executive.

Q. On what ground ?—A. I could not tell you. I have an idea, but the exact ground was not given.

Q. What was your idea ?—A. My idea was—I could only gather that from the remarks of the president of the Western Federation a month or so later—that they thought we would be entering on a losing fight. Upon the executive's refusal to endorse our proposed strike, greater dissatisfaction still arose, as then there was a faction supporting the executive and another faction condemning it. The membership still fell off, until we had an active membership of only 250, although this was not known to the public. The public still supposed we had a large membership, although I have every reason to believe the mine-owners were aware of the true state of affairs. Things became so bad that I think it was in either June or July of that year, at the personal request of myself and two or three representative men of the union, Edward Boyce, who was president of the Western Federation at that time, visited the camp. He interviewed the miners' union, officials, individual miners, mine managers and

every one who could possibly throw any light upon the situation there. He then asked for a special meeting of the union. At this meeting of the union he said that he came there with full authority from the executive to act in the premises. He said that unless we could heal the breaches in our own ranks—close up our own ranks, do away with the dissension, there would be no use of our entering upon a strike. The success of such a strike was doubtful, even if we were to unite our forces again, and his advice was—he said he did not think as a result of his investigations that we could heal these dissensions, and said that in his opinion matters would simply go from bad to worse, until the union would become a by-word in the camp, and a source of weakness to organized labour, to its individual members, if matters got much worse—and that he had (I cannot say positively whether he said he had or would have) the support of the Denver executive in advising us to dispose of our property—we had a large union property, with considerable treasury—and making a division of it among the members, or disposing of it as we saw fit, and abandon our charter—abandon our union; let the mine-owners know that we had given up the fight, and perhaps, he said, in the course of a few years, or a year or two, things would become so that we could revive our organization on a better plan. This advice was taken with very ill-grace by the union—that is, those who had supported the executive in refusing us permission to strike deemed Mr. Boyce's view was rather what they called interference. Some members of the union even went so far as to ask him what business he had to come over to Canada and interfere in the private affairs of the local union. These men were not aware that he had been invited to come by a few members of the union. After a full discussion, in which Mr. Boyce came in for some very harsh criticism, the union, practically unanimously, rejected his suggestion, and the feeling of the union was that if they had to give up their organization, they would give it up fighting—only through failure to win the fight. In fact, the expression was 'We will die fighting.' The executive of that local union then commenced to stir. The result of his visit rather had a tendency to heal this internal dissension, and the executive began a very careful course of strengthening the lines, getting in new members; as fast as men were brought into the camp to replace members of our union we would get these members into the union as quickly as possible. We brought in all the men we could to strengthen our forces, because there was no doubt there was a determination on the part of the union to enter into a fight as soon as they could get in shape to do it, even without the consent of the Denver executive. By the way, the headquarters then was at Butte, Montana. We succeeded in increasing the membership of the union again to probably 600.

By His Lordship :

Q. Up to 600 ?—A. Probably ; I can only speak approximately. Simply with a view of getting into a position to try and force the mine-owners to a recognition of the union, and the whole energies of the union were being directed towards preparing for this fight, because they had very good reason to believe that the Mine Owners' Association of British Columbia had started in on a general plan of warfare against the Federation, and that the Mine Owners' Association had determined as well on making that the battle ground, and they were weakening our forces as much as possible by discriminating against our men by letting them go, latterly in batches of a dozen at a time, and in the course of a few days replacing them by men who came from the other side, Minnesota, Wisconsin, Michigan, and, I believe, some from Nova Scotia. At that stage I left the camp, but kept very closely in touch with it. My connection with that union then ceased. As I quit the paper I went into other work, but I kept very closely in touch with it, and I know that two months after my leaving the paper, the fight which the union had expected and was preparing for was forced upon that union, and a strike was ordered, despite the fact that it was discouraged by the executive, and that union went before the executive and demanded financial assistance from the

Western Federation of Miners, and despite the fact that they went into that fight without the consent or approval of the executive.

Q. That was in 1901 ?—A. Yes, in 1901 the strike took place.

Q. What month ?—A. I should say in April—I would not be positive as to that—either April or May.

Q. They made a demand for financial aid ?—A. They did.

Q. With what result ?—A. They got it to the extent, I have been informed, of nearly $100,000.

By Mr. Rowe :

Q. For how long ?—A. I could not tell you.

By His Lordship :

Q. How do you account for the fact that they got aid when the strike was disapproved of ?—A. I cannot account for it except in this way—that the real breach, I believe, was forced upon the union by the action of certain mine owners.

Q. If that was the case one would naturally expect they would approve of the strike ?—A. Well, they did disapprove all along of what was practically the intention of the union to enter into a fight as soon as they thought they were in the best condition to do so—as soon as they could get an excuse to do so, and that whole view was disapproved by the executive. I was not in the camp when the actual breach occurred, but I have been told it occurred from a very radical action on the part of one mine manager, and that the union used that as a reason for what was practically a general strike in the camp.

By Mr. Rowe :

Q. How many men were out on strike ?—A. I can only tell you by hearsay ; I understand about 1,200 or 1,400.

Q. How long did it last ?—A. I should judge the camp was tied up—no men working—for a period of three or four months. After that they gradually opened the mines with labour from the States and Eastern Canada. I believe they opened them under police protection—I am not positive as to that—until the resources of the union became exhausted, until they saw there was no possibility of winning it, and gradually allowed it to die out. I don't think it has ever been officially declared off, with the exception of one mine. In one mine a settlement was made with the union, and union men were allowed to return to work there—in fact, I believe, they made very good terms, and the union men were favoured.

By His Lordship :

Q. The union was not recognized ?—A. No. It was in that one mine.

Q. One mine out of how many ?—A. I should judge there were three or four affected—that is, employing any large number of men ; there were a dozen affected that employed a small number of men doing development work. I think it was four affected—employing a large number of men.

Q. There was a demand made for increased wages by the union men ?—A. I don't think so. They may have done so, but that was not—yes, I think there was, too. I know that that was one of the causes of dissatisfaction in the union prior to Mr. Boyce's visit—that a certain class of labour in these mines that belonged to the union, were not getting the same rate of pay as was paid the same labour in other camps in the province, and I think a demand for an increase for that class of labour up to the standard rate in the province was made.

Q. That was really the pretext for the strike ?—A. I presume it was ; I cannot speak positively on that.

Q. The strike took place, I believe, on July 11; is that correct ?—A. It may be ; I was away from the camp. I was down here on the coast. That is two years ago, and

I could not state positively as to the date. I know there was war and rumours of war two or three months before it happened, and I could not state exactly the date.

Q. Don't you think the granting of $100,000 in aid of that strike was practically an approval of the strike ?—A. I don't think that it was.

Q. One would think that actions speak louder than words ?—A. It may be at the time the strike took place that the executive were fully in favour of it; I could not tell.

Q. At the time that strike took place there was a strike at the Northport smelter ? —A. I could not say positively.

Q. Would it surprise you to hear there was ?—A. No, I believe there have been strikes at several smelters in the state of Washington.

Q. The Northport smelter was owned by the principal company affected in this strike ?—A. I could not say that it was. I have forgotten the name of the company that owns it.

Q. I may tell you for your informtion that the Le Roi owns 999,995 shares out of the million—I know that myself ?—A. That may be.

Q. So that there was an intimate connection between the Northport strike and the strike at Le Roi, at all events ?—A. Possibly.

Q. You say the strike died out; it was not settled ?—A. That is my understanding —that it simply died out slowly in all the mines, with the exception of one, and in that it was simply a case of getting the best terms they could for the men.

By Mr. Rowe :

Q. Have you made a calculation of how much the men lost by reason of that strike ?—A. No, but I presume it would run in the neighbourhood of three-quarters of a million dollars in the way of wages.

By His Lordship :

Q. I suppose you have read the constitution ?—A. I was well acquainted with it at that time. Since then there have been some changes made in it.

Q. Are you aware that the constitution provides that no settlement of a strike shall be valid or binding unless approved by the executive at Denver ?—A. I am aware of that. That provision is made in almost the same terms of all the international unions.

Q. So that before an employer can get a settlement with his men that must be approved of by a body of men who are outside the country. Is that so ?—A. Of course, it is stated there in very clear terms that it is necessary, but in my own experience I know of but one agreement which has been disproved of by the international executive.

Q. What agreement was that ?—A. It was an agreement made by a subordinate union of the International Typographical Union.

Q. By subordinate, you mean a local union ?—A. Yes, a local union, a branch.

Q. Just give us the circumstances of that ?—A. I must trust entirely to my memory of the case, and of reading of it at the time in our official organ. I was not in one of the towns affected, but comparatively near, and have worked with many men who were personally interested. It seems there were four or five unions within one competitive district. This was somewhere in New Jersey—I think it was Orange. There were four unions in a comparatively small district. We have what is known as competitive districts.

Q. At all events, it is enough for our purposes to know this power has been exercised ?—A. It was exercised for this reason. We will assume there were four—there may have been more. The scale of wages in three unions was $16 per week by agreement, and a nine hour day. The agreement would cover say 300 men. In the fourth town the union accepted an agreement for $12 per week with a ten hour day, so as to enable their employers to go into these other three near-by towns and compete for that work and take that work away from these other unions. The allied trades considered it unfair competition, and the international being made a party to this agreement con-

cluded that it could not sacrifice the interests of these 300 members for the interest of say 100—that is a small number—as a matter of fact it was only about a dozen men who were in the $12 scale, and they could not jeopardize the welfare of the greater number by allowing them to be a party to unfair competition, and they said, instead of doing this, we will support you and put your wage up to $16 a week the same as the other near-by unions. This they did do.

Q. The result ?—A. The result was that the fourth union carried the fight on with the employers until the fourth union secured the $16 scale and the 9 hour day, so that all the employers in that competitive district were placed on equality as regards competition.

Q. What do you hold to be the chief advantage of international unions ?—A. There is no particular advantage in an international union, provided the members in any given trade, in any given nation, are sufficient to control their trade. Were there enough printers in Canada to justify the expenditure necessary in administering the affairs of all the unions from central headquarters, and to thoroughly control the trade in Canada, there would be but very little difference in international organization, as we have, in a measure, international affiliation anyway. The English Typographical Society recognizes the card of the American International Union. I could take out a card from the Nanaimo Union and deposit it in Glasgow and become a member of the union there; the same way with the English and the society in Europe.

Q. Would affiliation have the effect of preventing substitute labour coming in ?—A. It would in our trade; I don't know whether it would in others or not.

Q. That is to say, a member of the typographical union in the States would not scab here where there was a strike if there was nothing more than affiliation ?—A. The only thing I think he could do is this : suppose a printer comes out from the old country and is not the bearer of a card of membership in either the Irish, Scotch, English or London Typographical Society. We ask him why he is not a member, and if he cannot give a very good reason why he was not a member, we will simply give him a permit to work until we find out why he was not a member. If we find he is an unfair member we refuse him work here.

Q. What I wanted more was : supposing there was a strike on this side of the line, and there was no national organization, would affiliation have the effect of preventing men coming from the States here ?—A. In our organization, yes. Provided our numbers were sufficient the same result could be achieved by a national organization.

Q. The chief thing with an international union is the numbers ?—A. Yes. There are in our organization maybe 55,000 members. Of these in Canada I don't suppose there are over 2,000. The cost of administering the affairs of these 2,000 would be very great in proportion to the cost of administering the affairs of the whole. Again, by our membership in the international union we enjoy several advantages which we could not otherwise enjoy. We keep up a home for our aged and superannuated members. We have the same rates that the organization in the United States has. It would be impossible for us to spend half a million dollars in putting up a home, or spending $75,000 a year in keeping up the inmates. Again, suppose a dispute arose which would involve all the printers—practically all the printers—of Toronto. Now, that union has the largest membership of any typographical union in Canada. Its membership is, I think, about 500 or 600—practically, I think more than one-quarter of the printers of Canada. Supposing they went out on strike. At present it is a comparatively small drain on the whole membership to give them strike pay, but for the comparatively small number of members that we have in Canada it would be impossible for us to support them on strike, except by assessing ourselves very heavily. I must say that the figures I give are approximate and entirely from memory.

Q. So it practically means that national unionism, in the case of printers, at all events, would be a failure ?—A. It would be a failure. I cannot conceive how it

could be anything but a failure with other organizations that did not have a far greater membership than we have here.

Q. In the constitution of your organization has the headquarters power to call out a sympathetic strike ?—A. No, sir, not as I understand it. For the simple reason that the only occasion a sympathetic strike could arise, under our agreement the constitution becomes part of the agreement. That is, the rules that bind us as individual members become a part of that agreement. An employer attempting to force us to act contrary to our constitution breaks his agreement with us.

Q. There is full recognition of the union, then ?—A. Yes, full recognition.

Q. If the headquarters did ask a local union in Canada to come out on sympathetic strike, what would be the effect ? And promised them strike pay ?—A. The promise of strike pay would make no difference. If we are on strike, no matter how we came out we are entitled to strike pay. But I never knew of a case of sympathetic strike in that way.

By Mr. Bowe :

Q. Does your constitution provide that you must not do any work from an unfair office ?—A. Our constitution does, and if any employer asked us to take that work we would be justified in refusing. In that way a sympathetic strike might occur. But what is known as a sympathetic strike is impossible with us.

By His Lordship :

Q. Why ?—A. On account of our agreement.

By Mr. Bowe :

Q. Does your constitution provide any agreement with regard to the allied trades? —A. Yes.

Q. Could you work in a shop where there was an unfair bindery ?—A. We can, yes. We don't like to do so, and we would do all we could to unionize that bindery.

Q. For instance, I see a case where teamsters were on strike in a city, and there were substitute men driving wagons. They took a load of paper to a printing office where there were union printers, and the chapel announced to the employer that if he unloaded that paper they would walk out. Would that be in accordance with the constitution ?—A. I don't think it would. I think it was probably a bluff.

Q. It had the desired effect in that particular instance. The paper went back to the freight shed ?—A. I may say that I have been interested in securing organizations of other trades besides my own, and so I have found that the same section that his Lordship read us in regard to agreements, as contained in the Western Federation constitution, obtains in practically all of them, or all that I have looked up on it at least. They have, I think, something like ninety international unions with headquarters in America that have branches in Canada, and I think they all practically contain that same section.

Q. Does your union enforce the keeping of contracts by a local ?—A. It does. The contract is sacred because the international is made a party to that contract.

Q. So that an employer who makes a contract with a printer's union really has behind it the international union ?—A. He has, and it forces a local union to keep that contract. I know of one case of that. In effect it said to the proprietors, here is our branch who have broken this agreement with you. If you will simply overlook the delay that a few hours' absence of work will cause you, we will fill their places, and will see that our members keep their contract with you.

Q. That was in Canada ?—A. No, that was in the United States; I think, it was in Scranton, Pa. The local union there had an agreement with the employing printers, and they proposed to break that agreement illegally. The employers appealed to the international. The international sent a representative to the executive there, who happened to be an organizer for that district. He came there to talk to the mem-

bers of that union and told them what the result would be. They thought that the international would back down and permit them to have their way. The organizer went to the employers and said, if this union breaks that agreement it can only break it by seceding from the international, and if it breaks its agreement it is no longer a part of the International Union, and we will get you men of our union from New York, Philadelphia and fill their places twelve hours after they leave.

Q. Would the Western Federation of Miners assume that attitude in relation to contracts made by locals ?—A. It should do so.

By His Lordship :

Q. A good deal depends upon the character of the men appointed as executive ?—A. I will say this from my experience—that with the men at the head of the Western Federation of Miners I see no reason why they should not adopt that attitude. They are men, I believe, of character.

Q. They shift from year to year ?—A. So it is with the Typographical Union.

By Mr. Bodwell :

Q. Was not Boyce one of the worst agitators in the Cœur D'Alenes ? He had that reputation ?—A. Yes, many a man has had a reputation that has hanged him.

By His Lordship :

Q. He got into trouble with the authorities ?—A. I think he did in the early days of the Federation. I may say concerning the Cœur D'Alenes that I was there on behalf of the paper shortly after the last trouble in the Cœur D'Alenes, the blowing up of the Standard mill. I may say that I attended meetings of the union at Gem, Idaho, within a month and a half after the blowing up of the mill, and speaking as a member of the Typographical Union and as a citizen, I have yet to see the first thing in the conduct of affairs by the Western Federation of Miners that I would object to. Some of its methods I do—some of its doctrines I object to—I could not favour some of them at all.

I must apologize for taking this time, but I have felt that international unionism in a measure has been on trial, and I am thoroughly in sympathy with the principles of international unionism in Canada. And there is one other point I would like to have something to say about, and that is the subject of incorporation of local unions. Am I right in assuming that there is an objection being made in Canada to international unions ?

His Lordship.—I don't know anything about that.

Witness.—Am I right in assuming that the idea prevails that in Canadian labour organizations that Canadian workmen belonging to a union affiliated with the international, place themselves under the control of foreign bodies ?

His Lordship.—There is no doubt that it is the impression of some of the labour people in Victoria. In the case of the Shipwrights' Union and in the case of the Bricklayers' Union. These unions are both opposed to having anything to do with internationals.

Witness.—Does not the objection to that come from the same people who favour incorporation of unions. Am I safe in assuming that ?

His Lordship.—I think there are a good deal more people favour incorporation than those people, if they do. In fact, I find different opinions held by members of the same union.

Witness.—Since this Commission commenced I have been studying the subject of incorporation. Heretofore I have been in favour of it, but I am bound to say in view of this feeling I certainly would not favour incorporation.

ALEX. C. THOMPSON—Ladysmith, May 22.

Q. What are your reasons ?—A. Because that would necessarily place every local union thoroughly under the control of their executive, because by incorporation the International Union would be made liable for damages under, I believe, the Taff Vale decision and other decisions in the English courts, and would be made liable for the actions of the local union, and its treasury would be liable for it, so that the international would have to keep, in case of incorporation, a representative with each local union, with power to say you cannot do this, or you must not do that, so as to protect the treasury of the International Union from a claim for damages by the act of the local organization in Canada. In fact it would compel the international to take away the local autonomy from Canadian unions.

Mr. BODWELL.—Would that not be a good thing in case of breaches of law, because that is the only thing in which they could be liable for damages.

HIS LORDSHIP.—As far as that goes the formation of any body of men here into a corporation would not have the slightest effect on an international. It has nothing to do with any corporation which is created by the Parliament of Canada or by the legislature.

WITNESS.—Take it as a local of the Typographical Union. We could not incorporate without permission from the international.

HIS LORDSHIP.—Then it is high time that the public knew that—that a body of men cannot enter into corporate union without the permission of some one in every case.

WITNESS.—That is as it occurs to me; I don't think they can.

Mr. WILSON.—It is the same in the case of a foreign bank corporation, controlling its branches here.

HIS LORDSHIP.—I think it is pretty nearly time the public knew the rights or limits of the public to enter into contracts without interference from the other side.

Mr. WILSON.—You take an incorporated bank—they say what their clerks shall do, whether they shall marry and so on. Look at the control of the Hudson's Bay Company—how they control their branches here.

HIS LORDSHIP.—What has that got to do with it ?

Mr. WILSON.—It is a question of whether the labour of the——

WITNESS.—If the international is to be held responsible, then it is necessary that it should control.

HIS LORDSHIP.—Don't you see that they might form a distinct local corporation as well as being a local of the international, which would be liable under Canadian law, and would have nothing to do with the International ?

WITNESS.—Possibly.

By Mr. Rowe :

Q. Precisely what exists in the Nanaimo local ?—A. That may be. In my mind the Western Federation of Denver could be reached through the Nanaimo union.

By His Lordship :

Q. It might as a local union. As a body of members belonging to that organization they would not be liable by reason of their corporate capacity ?—A. They would not ? Well, I had an idea that they would be. In that case, certainly, I would be in favour of incorporation, because I think the local union should be held responsible for their actions. I have worked as an employer myself, probably for half the time I have been a member of the Typographical Union, and I know that I have suffered

what I considered injustice at the hands of a local union, while had they been incorporated I could have secured redress, but as it was I could not. I had to take my case before the International—before their own tribunal. Of course local unions can act very tyrannical when they wish, a small union particularly. Where a majority of the men in the union conceive a dislike for some one in the office they can act very tyrannical towards an employer, and his only protection is by appeal to the International officials.

Q. I suppose that is the chief reason why employers refuse to recognize unions ?—A. Very likely it is.

By Mr. Rowe :

Q. You stated that this union to which you referred was disturbed by political dissension ?—A. Exactly.

Q. What were the nature of the political differences ?—A. There was one faction wished the union to take political action as a union; the other did not. Probably one of the most important things, both from an employers' and employees' standpoint.

Q. Was whether the lodge should take such action or not ?—A. Exactly.

Q. Which side was in the majority ?—A. I really think it was compromised.

Q. What action would they take ?—A. They took action.

Q. I mean if the will of the majority had been carried out and that party went into politics, what party would it belong to ?—A. I could not say; there were some of the cooler heads who disfavoured political action by the union. Some thought they saw where that was leading the union.

Q. Where did they think ?—A. To a complete break-up. They gave it up.

LADYSMITH, May 23, 1903.

JAMES DUNSMUIR (cross-examined):

By Mr. Wilson:

Q. You are the chief proprietor and manager of the Wellington collieries, Mr. Dunsmuir ?—A. I am not the manager.

Q. No, but you are really in control ?—A. I am the head of it.

Q. In other words, all is subject to your control ?—A. Well, I am the president of it.

Q. Yes, but you are not a figurehead, you are the actual chief of the whole undertaking ?—A. Yes.

Q. It was so at Wellington as well as at Extension ?—A. Yes.

Q. I may state at the outset that I am only going to put a few questions to you, which if they are answered frankly, will cut this examination pretty short. You have, as I understand it, a rooted objection to all forms of union labour ?—A. I have.

Q. And your objection would be just as strong were the organization a purely Canadian organization, or even a purely local organization, as it is at present ?—A. Yes, I think I can get along far better without them.

Q. As to that, you regard it purely from your own standpoint ?—A. No, from what has come under my observation about unions.

Q. But you are not considering the effect of that upon the workmen, upon other members of the community ? You do not take them into consideration at all ?—A. What effect it has ?

Q. Yes.—A. What effect it has on the workmen. I don't see any effect it will have on the workmen. I think it would be far better for them not to belong to the union.

Q. Give your reason for that ?—A. Because I think they can act with more freedom and are not subject to the dictation of just a few heads of the union.

Q. Any other reason ?—A. No, I think that is all.

Q. If it could be shown that your reasons were unsound, would your objections vanish ?—A. Well, show me.

Q. I ask you the question, if it could be shown, would your objection vanish ?—A. I could not say; I don't know.

Q. You think that no matter what arguments could be brought forward you would still have the same objection ?—A. Yes.

Q. Then it is not a reason, but simply prejudice ?—A. Oh, no.

Q. You tell us frankly—with that degree of frankness for which you have acquired some credit—you tell us that if the reason were removed——?—A. I will say this, that unions might be all right provided they would not go too far, but they all go too far.

Q. How would you propose to regulate them ? Would you propose to have a committee of employers regulate the internal affairs of the union ?—A. I think the employers and employees can get along without having anything to do with unions.

Q. You do not know what experience has taught the workmen—that experience has shown them the need for it ?—A. No, I don't think it has. I have thought a lot about it, and I think it is from my own and the men's standpoint, too.

Q. Having such views, do you think you are able to view it from the men's standpoint ?—A. I think so ; from what I have observed, and from what we are told by labouring men after they joined this union, and so on. It is only a few men that are running the union—whatever way these few go. If they hold up their finger the whole union has got to do what they say.

Q. You have very little idea, I am afraid, of the internal workings of unions. The idea you have is that it is in the hands of a few men ?—A. The executive runs it.

Q. Is not the executive an elected body ?—A. Yes.

Q. By the whole body of the members ?—A. But they overstep their bounds ; that is the way they all do. It is the heads that control. A man cannot get up and express his opinion if he belongs to a union.

Q. Have you ever belonged to a union ?—A. No, but I have heard a good deal about them. I have not belonged to any secret society—never belonged to any organization.

Q. Then it is not unfair to assume that, not having had experience with any organization, your experience must be limited. That is a fair assumption ?—A. It might be.

Q. Holding these views—an irreconcilable disbelief in organized labour, you refuse, as I understand it, to have any man in your employment who is in any way connected with a union—you have heretofore ?—A. No, we have never done that. We have, of course, refused to have an organization or union around the works, but we have never refused to take men on, whether union or not. We don't ask him.

Q. Have you not, when you became aware of a man belonging to the union, got rid of him ?—A. You mean fired the heads of the union ?

Q. Yes ?—A. Every time.

Q. And you have done that in pursuance of a settled policy of antagonism to organization ?—A. Yes, around the works.

Q. You recognize, surely, the right of the workmen to organize ?—A. Of course, that is their own right. They can organize and belong to whatever union they like.

Q. Just on the same principle that you consider you have an absolute right to handle your own property ?—A. Yes, I think that is my right ; they have their rights.

Q. You hold that you have an absolute right to deal with your own property ?—A. Just as I like.

Q. Did it ever occur to you that wealth carried some corresponding obligations with it—the possession of large riches and lands ?—A. No sir. From my standpoint it doesn't.

JAMES DUNSMUIR—Ladysmith, May 23.

Q. You carry your opinion as far as this : you say you can shut up your mines just as you please, no matter to whom it brought ruin or loss ?—A. No, they didn't need to go to work, just in the same way that I did not need to open up the mines.

Q. The store-keeper might go broke, the inhabitants of cities suffer from want of fuel, general suffering might arise—all these things might happen, and you would still think you were right ?—A. Yes, I would still think I am right. Those are my rights. Then the men don't need to work, unless they like, those are their rights. I will go still further; then the government could come in and say we will buy you out—what is your price ? They might say that.

Q. In other words, you would force the state to get rid of you ?—A. No, they would force me to sell.

Q. We will put a further view of the proposition. You might make things so uncomfortable that the whole of the community would be willing to chip in and buy you out?—A. I say they could. If you don't want to start your works, then we will make a proposition to buy your works out. The government could go that far; but they could not say to me: You have got to start these mines up.

Q. All I wanted was to get your view?—A. All right. I am giving them, as far as I can.

Q. You don't recognize any third party to the social contract; it is simply you and your men ?—A. Yes.

Q. And it was in pursuance of that policy—it was that policy which actuated you in directing the removal from Extension?—A. My policy was, that Ladysmith was to be the town, and when the men built there, I told them they were only temporary—the buildings to put up there.

Q. Did you tell everybody?—A. Not everybody. I told the managers, and I told a good many of them.

Q. It was in pursuance of that same policy that you have already indicated, that you directed the removal of the men from Extension. You put it this way, if I understand it rightly: I don't tell you to live at Extension, but I can employ you or not, as I like?—A. Yes, that is the way I put it.

Q. Is not the result the same as if you directed them to live here ?—A. It might be the same; that is, I wanted them to live here; not for my benefit exactly, but for theirs, too.

Q. You have not given us much ground for believing that you were actuated by any philanthropic purpose. You were seeking your interests, and not theirs?—A. I could have been a land owner up there also. The $10,000 that Bramley wanted would not have been in the way at all, if I had wanted to build the town at Extension. I knew it was no place for the town, and the works were coming this way all the time.

Q. What I want to get at is, that having the line of policy and your own view on certain subjects, you asked them up, irrespective of the consequences to anybody else? —A. To anybody else?

Q. Yes ?—A. Yes, I have my own idea in carrying out my own business. Other people's business I have nothing to do with.

Q. And in pursuance of such a policy as that, you practically insisted on the men removing from Extension to Ladysmith?—A. No, I took into consideration the place for men to live in, and of course to get away from Nanaimo, and not to live around the mine, and the works extending this way, it was far better for the men to live at Ladysmith than Extension. I took all these things into consideration.

Q. And the fact of your owning the Ladysmith town site?—A. That was nothing. That cuts no figure with me at all.

Q. As a matter of fact, would it have been so? You could have brought good water into Extension?—A. Not so easy as here.

Q. Did you make an examination as to it?—A. Yes.

Q. By engineers and surveyors?—A. Yes.

Q. And ascertained its cost?—A. Not exactly the cost, but seeing whether it could be brought in.

Q. Is it a fact that the Nanaimo waterworks draw their supply from within two or three miles of Extension?—A. Yes, but it could never be put down into Extension.

Q. The source is lower than Extension?—A. Yes, they could not bring it over to Extension. There are engineering difficulties in the way. They did think of starting. They were going to bring it from the south fork of the Nanaimo river into Nanaimo, but they could not bring it from Nanaimo.

Q. Did you examine it from other sources?—A. No, just from what I have been told.

Q. While you were considering the removal from Extension to Ladysmith, did you cause any careful examination to be made with respect to getting a water supply in at Extension?—A. Yes, I wanted a water supply for our own works, but we did not go away out to see if we could get it from Nanaimo. We tried what they called Blind river. I bought a piece of land from the Vancouver Company, and put a dam there. That water was not fit to drink.

Q. From what source do you supply your works at Extension?—A. Our works at Extension are supplied by a dam on a piece of land I bought from the Vancouver Company. It is stagnant in the summer. It might be all right in the winter. As far as living here is concerned, I did look to the interests of the miners. It is much pleasanter to live here than in a hole like Extension. Most of the men would rather live here than there. It is nothing but a hole. No one would live there.

Q. Are there not some 230 people living there?—A. No, unless they have gone back.

Q. Did it not occur to you that the miner is just as competent to form an opinion as to his place of residence as you are?—A. No, they have to get men to speak for them and judge for them.

Q. As to their place of residence?—A. Anything, it doesn't matter what it is.

Q. What do you refer to?—A. I am referring to accepting any position or any wage. It seems they have to get outside men to advise them.

Q. In what way?—A. In every way. In where to live, probably what they eat, and everything else.

Q. You don't think because a man joins a union that they shall regulate what he shall eat, drink and avoid?—A. It looks like it; nothing without the union.

Q. Leaving joking apart, that is not your idea of a union?—A. To some extent it is.

Q. It is some comfort to know what kind of an idea you have got. So that, of course, would be one of your objections. Your idea of a labour organization is, that it not only regulates the hours of labour and wages, but that it enters into the smallest details of a member's life?—A. I believe it is.

Q. Then, I am not surprised at your objecting to it?—A. Oh yes. a great deal of objection.

Q. Was there not something said to you about constructing a bridge at Extension?—A. Yes.

Q. And did you not make some promise in respect to that?—A. Never.

Q. What was said about it?—A. The people there wanted a bridge put across. I would not allow it.

Q. Did you not put a sum in the estimates for it?—A. That was some time after.

Q. So you have changed your mind?—A. Yes, I have changed my mind; it is not needed now.

Q. When you put the sum in the estimates, had you changed your mind?—A. I did not care then. I knew it would never be done. The amount put in the estimates would never build it.

Q. So, you knew, when that sum was in the estimates, it was nonsense?—A. Yes, that was politics.

JAMES DUNSMUIR—Ladysmith, May 23.

Q. Were you a party to it?—A. Yes, I was a party to it.

Q. You are getting to be as good a politician as the rest of them?—A. What I do I don't go back on it; what I do I will admit it.

Q. Yes, I know, that is so. Your men have told me that. That makes it easy for me to examine. With respect to that proposal which was made to the miners yesterday, did you deliberately intend that that should mean a reduction in their wages?—A. That has got nothing to do with this inquiry at all.

Q. You would rather not discuss that?—A. It is out of it altogether. The committee asked me for a proposition, and I gave them two propositions. I told them I would meet a committee of my own men. I did, and they did not wish to accept a proposal at all.

Q. Very well, Mr. Dunsmuir, we won't discuss that.

His Lordship.—Is there anyone else who would like to give evidence?

(No witnesses volunteered.)

His Lordship—I understand that there are some conferences now pending between the parties, looking towards a settlement. For my part, I hope sincerely that a settlement will be reached very shortly, for I understand there is a great deal of sickness and misery caused by this strike. Not only that, but the general public are being seriously damaged, merchants are going into bankruptcy, and the general welfare of everybody interfered with. I hope that both the parties to this controversy will keep that in mind, that it is not in their own interests solely, but in the interests of the public generally. I think the whole public of this island would be very greatly rejoiced to hear that this settlement had been reached to-day. If there is anything the Commission can do towards bringing this settlement to a more rapid conclusion, we will be glad to do it.

Mr. Wilson.—I am told, sir, and I believe that Mr. King has the matter very largely in hand, and has had one or two interviews with committees of the workmen, and I think it rests now with Mr. Dunsmuir, rather than with them. I don't think Mr. King has found the men unreasonable, in dealing with them.

Mr. Bodwell.—I suppose we might adjourn, and let the parties get together.

(Adjourned.)

Cumberland, May 27, 1903.

Mr. G. M. Richards.
Mr. John Hutchinson, } representing the miners.
Mr. Bodwell, K.C., } representing the Wellington Colliery Company.

Statement of men's case put in by Mr. Richards (Exhibit 13).

His Lordship.—Do you file any further statement, Mr. Bodwell?

Mr. Bodwell.—No, we take the same stand as we did before.

JAMES DUNSMUIR—Ladysmith, May 23.

ORIM WESLEY BARBER, sworn.

By His Lordship :

Q. You are a coal miner, and live at Cumberland ?—A. Yes, sir.

Q. How long have you been mining here ?—A. I have been mining, off and on, for thirteen years.

Q. You are president of the local union of the Western Federation of Miners ?—A. Yes, sir.

Q. When was this union formed ?—A. On the 5th April.

Q. Who organized it ?—A. Organizer Baker.

Q. At whose instance did he come here ?—A. That I could not say; he was here before I knew he was here.

Q. I suppose he came by some one's invitation ?—A. I don't know by whose.

Q. Did you have any talk with him ?—A. Yes, sir, after he had come here.

Q. Tell us what took place ?—A. Mr. Baker was an acquaintance of mine, and I had not had any talk with him until after the first meeting held. Not until after the first meeting held on Sunday—the last meeting that was called——

Q. What date was that ?—A. The 5th of April, I believe.

Q. You did not have a talk with him until after the meeting ?—A. Yes, until after the meeting on the 5th April.

By Mr. Rowe :

Q. Did you say that was the last meeting ?—A. The first meeting.

By His Lordship :

Q. At which it was resolved to organize ?—A. Yes.

Q. How long was Baker here before that meeting ?—A. I could not say positively; I believe he came on the evening of the 4th; I was told he did.

Q. How was the meeting called ?—A. I believe it was called by notice.

Q. Was that notice posted up in any way ?—A. I did not see the notice of the meeting myself; I came direct from the Lake to the meeting. I live at the Lake, about a mile and a half from the camp.

Q. Did Baker address the meeting—you were there ?—A. I was at the meeting.

Q. Did he address the meeting ?—A. He did.

Q. Tell us shortly what he said ?—A. I could not tell you what he said ; my memory is not good enough for that.

Q. You don't remember anything ?—A. Not sufficiently to make a statement of what he said.

Q. You cannot give us any idea ?—A. I cannot make a statement of what he said, I am sure.

Q. What subject did he talk about ?—A. He spoke of unions and organizing.

By Mr. Rowe :

Q. He advised organization ?—A. No, I would not say that he did ; I don't remember that he did ; I don't think he advised organizing.

By His Lordship :

Q. How long did the meeting last ?—A. I believe the meeting lasted a few hours; probably three hours, or thereabouts.

Q. There was a resolution proposed to organize, was there ?—A. I believe I made that resolution myself; I made a motion that we organize.

Q. Was this after hearing what Mr. Baker had to say ?—A. Yes.

Q. Who else spoke ?—A. There was quite a number speaking; a good many whose faces are familiar to me, but whose names are not.

Q. But a good many spoke ?—A. Certainly.

Q. And the matter of organization was discussed ?—A. Yes.

Q. Were there any against organization ?—A. Yes.

Q. Tell us how many ?—A. I believe that only one spoke against organization, to my knowledge.

Q. Were you at the meeting during the whole time ?—A. Yes.

Q. Only one spoke against it ?—A. I believe there was another rose, but I never heard him say anything. whether he was speaking for or against.

Q. How was the matter decided, by open vote, or by ballot ?—A. By open vote.

Q. How many voted in favour ?—A. I believe it was unanimous.

Q. How many men were at the meeting ?—A. I don't know how many were at the meeting; there were a few that left the hall, the top hands that were not miners. I believe they all joined, nearly.

Q. Would there be as many as 100 ?—A. No, I don't think so; not 100 left the hall.

Q. I mean how many were there at the time the resolution passed ?—A. I suppose over 135, 135 at least.

Q. Did Baker talk about the trouble at Ladysmith?—A. I believe he might have spoken of it.

Q. I suppose he told you how that affair was at that time?—A. I don't remember what he said in regard to that.

Q. What argument did he use in favour of the organization?—A. The vote there was—the decision of the unanimous vote in favour.

Q. But what argument did he use, incidental to organization?—A. No argument he used.

Q. Do you mean to say that Baker addressed the meeting and did not give any reason why you should organize?—A. I don't remember any argument he had. He simply told us he was there for that purpose, I believe, if they wished it, and a vote was taken.

Q. And no argument was required? You already meant to organize?—A. I was, as I had been a member some years before of the Federation; I was a member for five years.

Q. In good standing?—A. No, not at the time.

Q. Were there many others among the men also members of the Federation?—A. There might have been.

Q. Where did you join?—A. In Rossland.

Q. You joined five years ago in Rossland?—A. Thereabouts.

Q. I must have misunderstood you, Mr. Barber, because I think you said you were here something like thirteen years, at Cumberlanad?—A. I said, off and on; at times I have been away.

Q. Are you a quartz or a coal miner?—A. Both.

Q. How many men have joined this union, 135?—A. At the first meeting.

Q. What is the membership now?—A. I could not tell you exactly; I think it is about 300—about 294.

Q. What induced you to join?—A. I have always been of that persuasion.

Q. You have always been in favour of unions?—A. Yes.

Q. Give us, shortly, your reasons for that?—A. One reason is, that it is a means of education.

Q. You mean by that, that the men frequently meet together and discuss matters?—A. Yes, sir; weigh up different opinions, very often forming a better conclusion by doing so.

Q. How often do they meet?—A. Once every week here.

Q. What is the average attendance here?—A. I think, over 200; sometimes between 200 and 250, probably.

Q. The average attendance is 250?—A. Yes, about that.

Q. What time do you have your meeting?—A. In the evening, at seven o'clock.

Q. How long do you stay, three or four hours?—A. Yes, some meetings are quite lengthy.

Q. Are there any advantages in a union besides education?—A. Yes, I believe it is a protection to a man's labour.

Q. In what way?—A. Freedom of speech.

Q. Do you mean protection as against the employer?—A. Yes.

Q. What other advantages?—A. It is helpful to its members.

Q. In what way?—A. There is a benefit fund in connection.

Q. There is a strike in existence here?—A. Yes, sir.

Q. When did that strike take place?—A. May 2.

Q. How many men quit?—A. I don't know the exact number.

Q. As nearly as you can tell us?—A. I could not give a definite answer, but I believe all the union men quit that were working in Number Four; they all quit there, I think, but two or three men. There might have been others somewhere.

Q. How many quit altogether—about how many?—A. I think, about 200.

Q. Out of how many workmen?—A. I do not know, I am sure; I could only guess at that.

Q. Were these 200 all members of the union; all the men who quit were union men?—A. There may have been men who were not union men; I think the most of them were union men.

Q. Did you notify the employer or the company that you were going to quit?—A. Yes.

Q. In what way?—A. That we had come out on strike; he was informed by the committee.

Q. Who was notified?—A. The manager, Mr. Matthews.

Q. You say he was notified—when?—A. Immediately after the result of the vote, he was notified that we had resolved to quit work.

Q. You mean on April 5?—A. On May 2.

Q. You had a meeting on May 2?—A. Yes.

Q. Have you a copy of that resolution?—A. Yes, we have it in the minutes.

Mr. Bodwell.—May 2 was the date of the strike, Saturday; the organization meeting was on April 5, Sunday, April 5.

(Mistake made by men in their statement with regard to date. Changed to read according to dates given by Mr. Bodwell, by Messrs. Richards and Hutchinson).

By His Lordship:

Q. There was a resolution passed on the 2nd of May. Look at that and see if that is the resolution?—A. Yes.

(Exhibit 13.)

Q. You say that meeting was called by notice?—A. Yes.

Q. What length of notice, or was it one of the regular meetings?—A. No, it was a special meeting.

Q. How long notice was given?—A. I cannot remember the length of time that the notice was put up.

Q. Who ordered the holding of the meeting, you as president?—A. It was decided by the executive board to call a special meeting for that purpose.

Q. Cannot you tell us how long notice was given, two days, one day—A. I believe it was.

By Mr. Bodwell:

Q. The night before?—A. I am not sure as to what length of time it was up.

Mr. Hutchinson.—Possibly up some time about the morning before.

By His Lordship :

Q. Where was it posted ?—A. In different places; I believe there were about eight or nine notices placed through the camp.

Q. How many men attended at the meeting ?—A. Two hundred and eight.

Q. Two hundred and eight attended ?—A. Yes.

Q. And all voted in favour of quitting except 12 ?—A. There were three spoiled ballots.

Q. And twelve against ?—A. Yes.

Q. Was the question decided by ballot ?—A. Yes, by ballot.

Q. How long was it discussed before being sent to the ballot ?—A. I believe it was discussed for probably an hour.

Q. Had the meeting any assurance from anybody that the Western Federation would financially help the men if they went out ?—A. They had no assurance except the approval of the Western Federation of Miners.

Q. What do you mean by that—no assurance except that the Western Federation would approve of the men going out ?—A. Well, they would support them. That is, as long as it was done constitutionally and on just grounds, we had their support ; only on these grounds.

Q. Who gave that assurance—Baker ?—A. I believe that he might have put the case before them ?

Q. Baker was at the meeting ?—A. Baker was not at the meeting on May 2.

Q. At all events the meeting had some kind of assurance from Baker that they would be supported by the Federation ?—A. I had seen Baker previous to this meeting on a trip to Nanaimo —the joint executive meeting held in Nanaimo, between the men here, the men at Nanaimo, and the men at Ladysmith.

Q. When was that held ?—A. I am not prepared for this, and I have no dates.

Q. About when ?—A. About the week before.

Q. Then you got assurances from Baker that the Federation would stand behind the men in this strike and help it financially ?—A. Yes, sir.

Q. I suppose if you had not got that assurance you would not have gone on strike? A. Yes, sir, we would, I believe.

Q. You would have gone out anyhow ?—A. Yes.

Q. The constitution requires you to ask for the approval of the executive at Denver, does it not ?—A. If you wish their support.

Q. Have you done that ?—A. Yes.

Q. You have asked for the Denver approval ?—A. Yes.

Q. Before or after the strike ?—A. Before.

Q. With what result ?—A. With their approval.

Q. You got their approval before you went out ?—A. Yes.

Q. Did you get that from Baker ?—A. We got it from the president of the Western Federation of Miners.

Q. What is his name ?—A. Moyer.

Q. In the shape of a letter or telegram?—A. Telegram.

Q. That is in reply, I suppose, to a telegram asking for approval?—A. Yes.

Q. Have you got these telegrams here?—A. They are on file.

Q. We would like to see them.

Mr. RICHARDS.—They are not here, but I can get them.

By His Lordship:

Q. How long before the date of the meeting did the telegram telling you that you could go out arrive from Moyer?—A. I believe, about ten days.

By Mr. Rowe:

Q. Was it before or after the meeting of the joint executive?—A. It was after, about five or six days.

By His Lordship:

Q. You have been out on strike since May 2?—A. Yes.

Q. The whole 200 men quit work on that date?—A. Thereabouts.

Q. None of the men have gone back, have they?—A. Not to my knowledge.

Q. Have you got any assistance from the Western Federation?—A. Financial assistance?

Q. Yes?—A. No, sir; we have not asked it yet.

Q. When you say you have not asked for it, you mean the union, as a union, has not asked for it?—A. Yes.

Q. You say the reason you quit was because some of your officers were discharged?—A. Yes.

Q. Which of these officers were discharged?—A. I was one—well, no—I was not discharged.

Q. Who were discharged?—A. I don't know as any were discharged.

Q. You don't know of any officers that were discharged?—A. No, I don't know.

Q. But your resolution states that some officers had been discharged?—A. I don't believe it says discharged.

Mr. BODWELL.—It says: 'refused the privilege of going to work.'

By His Lordship:

Q. Well, you say you won't work until you are reinstated?—A. Yes.

Q. Then, there must have been a discharge?—A. Well, the officials claim not.

Q. Tell us the circumstances?—A. Well, they just naturally got out of places, and did not get started again.

Q. And the order had been organzied ?—A. That is the only explanation ; it explains to me.

Q. When did you quit work?—A. I quit at the request of the management.

Q. At the request of Mr. Matthews?—A. No, Mr. Short.

Q. On what date?—A. On April 3, I believe.

Q. That was before the meeting?

Mr. BODWELL.—It was on the 6th.

By Mr. Rowe:

Q. The day after the meeting?—A. Yes, I believe it was the 6th, the day after the meeting.

Q. What did he say, when he asked you to quit work?—A. I was laid off. My laying-off has nothing to do with the question at all; I was laid off for disobeying orders, which would have probably occurred at any time.

Q. What orders ? You mean you were laid off because you disobeyed orders, not because you were a member of the union ?—A. Yes.

Q. What orders?—A. I fired a shot before the shot-lighter came around.

Mr. BODWELL.—Contrary to the rules in the mines.

By His Lordship:

Q. That is a breach of the rules, to do that?—A. Yes.

Q. You do not blame them for laying you off?—A. No, sir.

Q. Who were the other men who were laid off? I mean officers of the union?—A. Mr. Halliday, I believe——

Q. Well, they can tell their own story. There were other men, officers of the union?—A. Yes.

Q. How many?—A. I just don't remember how many there were; I believe there were nine.

Q. These nine men were laid off before you took action?—A. Yes.

Q. It was on account of their being laid off in this way that you passed this resolution at the meeting?—A. No, not exactly.

Q. Why was it you passed the resolution ?—A. The management had been asked if they would reinstate them in the proper order ; if they would accept a list of the names, and give them their turn in starting.

Q. You mean put back in order ?—A. Yes, whenever their turn came, in proper order.

Q. What is meant by that ? You understand, Mr. Barber, that the company's officials are here and their counsel is here, and it is for your people to make your case very plain. That is why we ask you these questions ?—A. There had never been any rule here to my knowledge—no regular rule.

Q. What we would like to know in the first place is why these men were laid off. The company will have their story to tell, and I want your story ?—A. My story is a very short one. We formed a union, and all the officers happened to be out of work; it happened that way. There were none of them, to my knowledge, that were discharged.

Q. How would their job give out ?—A. I don't know.

By Mr. Rowe :

Q. Is it customary for men to be laid off from time to time ?—A. Certainly it is customary to lay a man off, whenever they feel like it.

Q. I mean can a man get continuous work at coal mining, or are there some days in which he is laid off because there is nothing to do, and then be put on again ?—A. —Some men can get continuous work—others can't.

Q. What is the general rule about it. Do the majority of men work continuously ? —A. Yes, I believe they do.

Q. But it frequently happens that men get laid off for want of something to do ? —A. Yes.

Q. And this has happened, by what you consider a singular coincidence, to all the officers of the union ?—A. That is the way I look at it.

Q. What officers were laid off ?—A. Not all.

Q. How many were left at work ?—A. I believe there were one or two left; I am not sure.

Q. How many officers were there; you ought to know, Mr. Barber, because you are president ?—A. Well, I have to count them up.

Mr. Bodwell.—The secretary will know better, probably.

Mr. Richards.—Three officers besides trustees.

By His Lordship :

Q. Were any officers left by the company at work ?—A. I believe there were.

Q. Then you think a sufficient number had been weeded out so as to compel you to take action ?—A. Yes.

Q. And whether rightly or wrongly, you suspected the company of laying them off because they were officers ?—A. Yes, that was the position, after interviewing the management.

Q. Whom did you interview ?—A. Mr. Matthews.

Q. Just tell us what took place ?—A. Myself and Richard Towe and Mr. Halliday interviewed Mr. Matthews and asked him if—Halliday, I should say——

Q. When was this ?—A. What date was it ? May 1st. We interviewed Mr. Matthews; we asked him if he would start the officers; if he would extend the list at least to the men who had been laid off, which he declined.

Q. So that he refused to employ any of these men at any time ?—A. No, but he told us that he could have no dealings with the union.

By Mr. Rowe:

Q. Did you go as a committee of the union ?—A. Yes.

By His Lordship :

Q. And he declined to have anything to do with you as a committee of the union, was that it ?—A. That was my interpretation of it.

Q. What did he say ?—A. He said that as Mr. Dunsmuir had already refused to have any dealings with the union, that he could not deal with us.

Q. You asked him to take these men back or take a list and put them in order ? —A. Yes, he said he would not accept a list. He would hire and discharge whom he liked, and take them on as he saw fit, as he had always done.

Q. And did he refuse to take any of these men back at any time ? I mean did he say he would not take any of these men back as long as they were officers of the union ?—A. He did not say that.

Q. Did he give you to understand that he would not take any of these men back ? —A. I certainly understood it that way myself.

Q. That you need not look for employment any longer with him ?—A. I understood it that way, as long as we were in the union, from what he had said.

Q. What was it he said that led you to understand that ?—A. That he could not treat with the union.

Q. But he did not tell you that he would not have them as long as they were members of the union ?—A. No.

Q. So it was just an inference of yours that he would not have them as long as they were members of the union. I suppose, Mr. Bodwell, you admit that was the position, anyway ?

Mr. Bodwell.—Not exactly with reference to this matter. The union brought a list of the men to put on in order on the list, and we declined to accept any such dictation as that from the union, and Mr. Matthews did say that he could not recognize the union—that Mr. Dunsmuir refused to recognize it.

His Lordship.—You don't take the position that you are not going to hire any of these men at all ?

Mr. Bodwell.—We have never declared anything on that point as yet.

Mr. Rowe.—Do you take the position that there is nothing significant in their being out ?

Mr. Bodwell.—Our evidence will show that every man who was not at work that his place was worked out. The question of taking back has not yet come up for consideration, because there are not places enough open for the men who would go back, as I understand it. It has not been necessary to make a declaration on that point. As a matter of fact, the work is going on, and every place is filled that was open for men to work in. No outside people have been imported, but among men who were here.

Mr. Rowe.—There has been no work yet for these men ?

Mr. Bodwell.—Not in the operation of the work as it has been going on. Whether or not they could provide places, Mr. Matthews will give evidence on that point, and the Commissioners will draw their own inference. As a matter of fact, the output is satisfactory to the management, and the work is going on. Of course, we have declared against the union and refuse to recognize it, but the probability is that the men who are out now would probably be out anyway at some time during the period at which they declared themselves on strike.

By His Lordship :

Q. The present attitude of the men, Mr. Barber, is that they won't go back to work unless the company recognizes the union ? Is that the position ?—A. That is the position, and reinstatement of the men, as the resolution states.

Mr. BODWELL.—Mr. Matthews tells me now that at the time this list was handed him he told them there would be no opportunity to fill the places for a month at least in the way in which the work in the mines was laid out.

By Mr. Richards :

Q. What position was your place in—was it a stall or a cross-cut ?—A. A stall.

Q. Was it in such a position that the other cross-cut could not have gone on ?—A. It could have gone on, in my opinion.

By Mr. Bodwell :

Q. You were discharged for breach of the rules, and no man was in your place ?—A. No.

HIS LORDSHIP.—You had better bring that point out by another witness in the box.

By His Lordship :

Q. What do you mean by recognition of the union ?—A. The right of men to organize and form a union.

Q. But it involves more than that, does it not ?—A. Without discrimination, certainly; without being discriminated against.

Q. But it means more than that, does it not ? It means you have a right to approach the employer with a committee ?—A. It means that we have a right——

Q. The company has to deal with the men through the union, and not with them individually ?—A. Not necessarily.

Q. Well, that is the impression that has been given us by the evidence given so far, that the company have to deal through the union, and not with the men individually. Suppose a man has a grievance and cannot arrange it, does not a committee of the union take it up and see the management, whenever there is any difficulty ?—A. Yes, sometimes it is necessary.

Q. And they have what they call a pit committee ?—A. In some places they have.

Q. At any rate, that is so, that the employer has to deal with the union and not the men individually ?—A. In case of trouble arising.

Q. Do you think it would be a right stand for the union to take that you ought to be put back after disobeying orders ?—A. No, sir.

Q. You would not ask the union to stand out for you on that line ?—A. I would not.

Q. But if a man is discharged for alleged disobedience of orders then the union has a right to take the matter up and see whether or not he was reasonably discharged ?—A. Certainly they would have that right.

Q. And if they did not think it reasonable they would have a committee wait on the employer ?—A. Certainly.

Q. And if the employer does not rule according to their wishes there is probably a strike ?—A. No, not necessarily.

Q. Well, what happens ?—A. Very often the man, sooner than see any trouble, will leave and go to another place.

Q. But all men cannot do that, especially if they are married men ?—A. Yes.

By Mr. Bodwell :

Q. Now, this is the first occasion, so far as you know, to attempt to form a union ?—A. No, it is not.

Q. When was there any attempt made ?—A. There was an attempt made to form a union somewhere about twelve years ago. I was here at the time. It was a local union. Tully Boyce came here, I believe, to form the union.

Q. Was that successful ?—A. No, sir, it was not; he was refused a ride on the company's train.

ORIM WESLEY BARBER—Cumberland, May 27.

Q. Well, the union was not formed ?—A. The union was not directly formed ; the officers were elected. There was a meeting called, but the officers were discharged the next day, and that broke the matter up.

Q. It was broken up ?—A. Yes, sir.

Q. Now, the men here knew when they were starting to form this union that they were going to bring on a fight with the employers, did they not ?—A. Certainly they must have thought so.

Q. It was pretty generally understood that the company was opposed to unions ?—A. I think it was.

Q. That being so, what special reason was there for attempting it at this time ?—A. With the opportunity of joining an organization of strength—the Western Federation of Miners.

Q. My point is this—you people knowing that the company was opposed to having a union, what motive was there for attempting it at this particular time ?—A. It was just an assertion of rights, in my opinion.

Q. Why did you select this more than any other time ?—A. I don't know why this time was selected ; there was no special reason.

Q. Do you contemplate the possibility of a long fight ?—A. No, I could not say that I contemplate anything myself ; I never contemplated the question very much at all ; I thought of it certainly.

Q. Who called the meeting in April ?—A. I was out of town when the meeting was called ; I don't know who called it. I only heard of it by word.

Q. And you say there was no special grievance led to this move ?—A. Not to my knowledge.

Q. You must have known that it meant a fight ?—A. Not necessarily.

Q. You had a pretty shrewd idea, though ?

By Mr. Rowe :

Q. You knew what had taken place in Ladysmith ?—A. Certainly.

By His Lordship :

Q. And what had taken place here several years ago ?—A. Yes, but we thought Mr. Dunsmuir might have changed his mind.

Q. There was no attempt made to ascertain his view on that point ?—A. No.

Q. The possibility of a fight being so large, did you make any provision for financial aid ? How were you people going to stand it out ?—A. Well, we had the assurance of support.

Q. It would have been an ill-advised move if you had not had that assurance ?—A. No, I don't think it would ; of course that strengthened the movement.

Q. With only 200 men to enter into a fight of that kind ?—A. I consider a man should always stand in a position to battle for his rights.

Q. Supposing he has not got any money saved up ?—A. We would certainly have to put up a poor fight.

Q. These strikes cause a good deal of sickness and misery in the family, don't they ?—A. I believe that a person has to suffer. It has always been my contention, and I have expected in cases of that kind that I would have to suffer.

Q. The men can go on strike, but the women can't. It seems to me that is a thing sometimes overlooked ?—A. Yes.

Q. I suppose you completely organized on the 5th, that is to say, you elected your officers on that date ?—A. Yes.

Q. You were elected president on that date ?—A. Yes.

Q. Would you be satisfied to make individual contracts with the company ?—A. I believe we have always had individual contracts with them.

Q. And you are not striking because you cannot get a union contract ?—A. No, sir.

Q. If that is the case, the company are ready to take men back on individual contract; I see notices posted up ?—A. I believe I could get one if I went after it.

Q. You say you could get a contract ?—A. I might.

Q. Is there any trouble about wages ?—A. No.

Q. Three dollars a day is the standard wage here ?—A. I believe there are different standards for different work.

Q. At all events there is no complaint on the question of wages ?—A. No.

Q. Yours is a question of recognition and the right to organize ?—A. Yes.

Q. If you are satisfied about the wages, what is the necessity for a union ?—A. Everybody is not, of course; where some will always be satisfied there are always others who will not.

Q. But there is no general feeling in the camp that the wages are unfair ?—A. No, I suppose not.

Q. The chief object of a union is to keep up wages ?—A. Yes.

Q. What is the necessity for a union then, when wages are satisfactory, taken as a whole ?—A. Wages are always considered by a union. I said there are a good many wages paid that are below union prices here that are paid by most of the corporations throughout the country, that are paid higher.

By Mr. Rowe :

Q. Can you specify a case ?—A. I believe the engineers are paid less here for the hours.

By His Lordship :

Q. Do you think an employer has no right to employ a non-union man ?—A. He has a right to employ whom he likes.

Q. If that is so, what is the object in striking for recognition ?—A. I would ask, what is the object of discriminating against union men ?

Q. You think an employer has no right to discharge a man because he belongs to a union ?—A. I think he has no right.

Q. That is merely because he belongs to the union, but if he is an incompetent man he has a right ?—A. Certainly.

Q. But not simply because he belongs to a union ?—A. No.

Q. I suppose you take a certain amount of credit for promoting this organization ?—A. No, sir.

Q. Who would you say was the promoter ?—A. The men themselves.

Q. You think it was a spontaneous impulse on the part of the men ?—A. No, it has been tried several times here on previous occasions. It has been the feeling of the men at times, and they have made attempts, but they have been cut off at the start and have never got a foothold.

Q. There have frequently been other attempts to organize ?—A. Not frequent; there have been other attempts.

Q. That you and others have been concerned in ?—A. I myself was only concerned in one other.

Q. What I want to know is whether it is personal knowledge or only from report ?—A. There were others, I said, which were unsuccessful also.

Q. Do you gather that on these occasions the majority of the men were in favour of a union ?—A. From what I have heard they were, only certain means were brought to bear that changed their opinion.

Q. Who called that joint executive meeting held in Nanaimo ?—A. At the request from Ladysmith and Nanaimo we sent delegates.

Q. Who were the delegates ?—A. Myself and Mr. Hutchinson.

Q. You are out now in sympathy with the Ladysmith miners ?—A. No, sir.

Q. What do you call a sympathetic strike ?—A. Well, I don't know; I never was in one.

ORIM WESLEY BARBER—Cumberland, May 27.

Q. Was it decided at this joint meeting to come out on strike ?—A. No, sir.

Q. Did you receive assurance there if you did go out you would get support ?—A. No, sir.

Q. Well, a telegram was sent there from Moyer ?—A. That had nothing to do with the executive meeting.

Q. This communication of Moyer had nothing to do with the general executive meeting ?—A. No, sir.

Q. What was the purpose of that joint executive meeting at Nanaimo ?—A. It was on business in connection with the three unions. It is not necessary to explain the business of that meeting, is it ?

Q. Yes, we are here to get the facts.

Mr. HUTCHINSON.—That was called for the purpose of devising ways and means to relieve Ladysmith financially. At that time we were not on strike.

By His Lordship :

Q. Then the meeting at Nanaimo was called to consider the financial question ?—A. Yes, it was a business meeting.

Q. What was it decided at that executive to do ?—A. It was decided that a levy be placed on the members of Nanaimo and here to aid Ladysmith.

Q. How much ?—A. One dollar each member.

Q. To assist the Ladysmith men—that is a levy of one dollar on each of the Cumberland and Nanaimo men to assist the Ladysmith men ?—A. Yes.

Q. If the Ladysmith men were to have been assisted in this way, it would have been better for the Cumberland men to have kept on working ; the funds would have lasted longer ?—A. No, I don't think it was.

Q. Why not ?—A. To continue working longer would have meant the death of the union; the officers cannot live without work.

Q. But then the men who continued to work could elect other officers ?—A. Well, they would probably be afraid, or probably they might have found difficulty in finding men who would fill these offices, when they found they were discriminated against.

Q. How does the company get to know who are the officers ?—A. We publish a list of the names.

Q. And this proposed levy of a dollar, was that paid in ?—A. Part of it has been paid.

Q. How much ?—A. Well, I don't know.

Q. Could you give us any idea ?—A. No, I could not.

Q. Has that money been given to the Ladysmith men—whatever has been collected ?—A. No, sir; not yet.

Q. Why is that ?—A. It was passed at a vote of the meeting that it be credited to the dues of the members here, since they had gone on strike; afterwards that that should go to their dues.

Q. But I thought the idea was to assist the Ladysmith men by giving them some money ?—A. They were not on strike then, and it was considered advisable to keep that in case it was needed.

Q. But at the time of that meeting the Ladysmith men were on strike ?—A. Yes, sir.

Q. I thought the idea was to assist these men at Ladysmith ?—A. It was.

Q. Why was not the money paid over ?—A. Only part has been collected.

Q. Why was not that part paid over ? That was a queer kind of assistance to be giving, is it not ?—A. I told you it was passed by the union that the money be credited to the dues of its members.

Q. Anyway, the Ladysmith men have not got any assistance yet ?—A. Yes.

Q. From the men here and from the men at Nanaimo ?—A. Not from the men here.

Q. From the Nanaimo men ?—A. I am not prepared to say from the men at Nanaimo; they have had assistance.

Q. They have had assistance from the Federation ?—A. Yes.

Q. We know about that. They have had something like $790, besides $1,000. How many men were at that joint meeting ?—A. I believe there were twelve or fourteen.

Q. How many men from here ?—A. Three.

Q. And how many from Ladysmith ?—A. Two, I believe.

Q. So that the Nanaimo men were in the majority ?—A. No, the Nanaimo men that had a vote were not in the majority.

Q. You say there were three from Cumberland, three from Ladysmith, and how many from Nanaimo ?—A. There were two or three from Nanaimo.

Q. There were nine men to settle this question, is that right—nine men who had the right to vote ?

Mr. HUTCHINSON.—There were two from Ladysmith, three from here, and three from Nanaimo.

By His Lordship :

Q. Was anything else done at that joint meeting besides voting this dollar in aid of Ladysmith men ?—A. Yes, there was a deputation sent to Victoria to interview the members and see if they could bring about any pressure to bear upon a settlement —the members of the House, the Legislature.

Q. There was nothing to be gained by that ?—A. No.

Q. Was anything else done ?—A. That was all.

Q. Then you would say it was wrong for any one to call this a sympathetic strike? —A. Yes, sir.

Q. And you cannot tell me what is a definition of sympathetic strike ?—A. No, I could not.

Q. You call this a strike for recognition ?—A. And the reinstatement of our officers and members.

Q. If it is shown to your satisfaction that there are not enough places for all the men to go back, you would not ask the company to discharge non-union men ?—A. No, sir.

By Mr. Rowe :

Q. Mr. Barber, I understood you to say that you received assurances from Mr. Baker at Nanaimo at the time of the meeting of the joint executive, that you would get financial help if you went out here ?—A. No, that was, we would have the support of the Federation.

By His Lordship :

Q. That is to say, you would have the approval of the head office ?—A. Yes.

Q. And that carried the right to get financial aid ?—A. I suppose if we wanted to; we carried the right to appeal to them.

By Mr. Rowe :

Q. Was the situation at Cumberland discussed at the meeting of the joint executive ?—A. No, I don't believe—there might have been a few questions asked.

Q. Was that the time you were there that you saw Mr. Baker ?—A. Yes.

By His Lordship :

Q. That is at the joint meeting ?—A. Yes, at Nanaimo.

Q. He was at the joint meeting ?—A. Yes.

By Mr. Rowe :

Q. Had your officers been laid off previous to that joint meeting ?—A. Yes, a good many of them—a few of them.

Q. So the occasion for the strike had been created previous to that time ?—A. I believe so.

Q. You say the meeting was called at the request of the Ladysmith men ?—A. And Nanaimo.

Q. But that is the meeting ? Who was the man who sent out the request ?—A. The secretary of the Nanaimo union, and the secretary of the Ladysmith union.

Q. From whom did you get the request ?—A. From the two unions.

Q. Which came in first ?—A. I don't remember which.

Q. Did the letters come the same day ?—A. I don't remember whether they were both the same day.

Q. If you have these telegrams, Mr. Richards, you might put them in the witness' hands to be identified.

Mr. RICHARDS.—I might state this telegram has other private business on.

HIS LORDSHIP.—It does not make any difference ; it won't be put in the paper if that is what you mean. Is that the telegram sent to Mr. Moyer ?

Mr. RICHARDS.—From Moyer.

HIS LORDSHIP.—Where is the one sent to him ?

Mr. RICHARDS.—I have none sent to him ; I was not secretary at that time.

(Telegram from Moyer put in.—Exhibit 14).

HIS LORDSHIP.—Where is the other telegram ?

Mr. RICHARDS.—I have no other.

HIS LORDSHIP.—What has become of the telegram sent to Moyer, or a copy of it ?

Mr. RICHARDS.—This union never sent any that I know of. I might say at that time I was not here.

By His Lordship :

Q. It was sent from Nanaimo ?—A. This is an answer to that which Mr. Baker sent from Nanaimo.

Q. During the holding of that joint meeting ?—A. I don't know what time he sent it.

Q. I think the Commission ought to have a copy of the telegram to which this was a reply ?—A. It will be necessary, in order to get the telegram which was sent—you will have to get it from organizer Baker.

Q. Were you present, Mr. Barber, at the writing of the telegram sent to Moyer ?—A. No, sir.

Q. Was it shown to you before being sent to Moyer ?—A. No, sir.

Q. Was it shown to any members of the joint meeting ?—A. No, it was not.

Q. It was sent before the joint meeting was held ?—A. I don't know.

By Mr. Rowe :

Q. What is the date of that telegram ?

Mr. BODWELL.—It looks as if it might be April 5th.

HIS LORDSHIP.—I don't see anything private in the last part of the telegram. It strikes me that is part of the war that is going on ; there is no privacy about that. There is no law against doing what is suggested to be done in the telegram.

By Mr. Bodwell :

Q. Well, you labour men don't believe in working with Chinamen or Japanese, do you ; you are opposed to that on principle ?—A. Not necessarily.

Q. Didn't it strike you as rather strange that Mr. Moyer should telegraph to organize the Chinese and Japanese if possible? This telegram says—'Organize Chinese and Japanese if possible.' Would you take them into your lodge then?—A. I don't suppose——

Mr. RICHARDS.—Mr. Hunter, I object to this telegram to Mr. Bodwell, asking the witness questions on that. It is private business.

HIS LORDSHIP.—You must remember that this Commission is required and instructed by the government to get all the facts in connection with this strike and report.

Mr. RICHARDS.—I object to Mr. Bodwell questioning him.

HIS LORDSHIP.—Both parties to this controversy are entitled to be represented by counsel. You men have that right—it was exercised at Nanaimo and Ladysmith. If you feel you are being taken at a disadvantage you shall have all the redress possible. If you suggest them to me or my brother Commissioner, we will ask any question for you.

Mr. RICHARDS.—He will get an undoubted advantage of the witness by that telegram; he will confuse the witness, a lawyer like Mr. Bodwell.

HIS LORDSHIP.—You need not be afraid of that, if the witness sticks to the truth.

By Mr. Bodwell:

Q. Then you would take the Chinamen and Japanese into your local union, would you?—A. I don't know.

Q. Here is the president of the Federation instructs Mr. Baker to organize the Japanese and Chinamen, to organize you first, and then to organize the Chinese and Japanese if possible. Is that right?—A. There is nothing in that telegram to say we are——

Q. Mr. Baker telegraphed to Mr. Moyer at Denver, and he wires back, 'We approve of calling out any or all men necessary to win at Ladysmith; organize Chinese and Japanese, if possible.' Now, Mr. Baker is the official organizer of the Western Federation, and he is telegraphed to by Mr. Moyer, president of the Federation. How were you going to organize the Japanese and Chinese, unless you took them in with yourselves?—A. That would be left to ourselves; it is only a suggestion.

HIS LORDSHIP.—It seems to me that it is a natural suggestion for Moyer to make, if necessary to win out the fight. The company could employ Japanese and Chinese, and why should he not suggest that?

By Mr. Bodwell:

Q. I only ask Mr. Barber what he thinks of going into a union lodge alongside of Japanese and Chinamen. That was not the idea—that they would be members of the Western Federation after being organized?—A. I never asked for information on it.

Q. You would not approve of organizing the Japanese and Chinese?—A. I would think I would consider the organizing of them in a union of their own.

Q. But you could not organize them except in the Western Federation of Miners. Mr. Baker is an official organizer of the Western Federation; he is not an organizer of Japanese and Chinamen?—A. He might be.

Q. Do you mean to say he is paid by the Western Federation to organize Chinese and Japanese?—A. Certainly not.

Q. He could only organize them as an official of the Western Federation of Miners—in no other capacity?—A. He might assist in forming an organization of their own. I think myself that was his idea.

Q. Did Mr. Baker talk about organizing the Chinese and Japanese?—A. He mentioned it, yes.

Q. When and where, and to whom ?—A. He mentioned it to me at Nanaimo. He asked me what I thought about it.

Q. What was his idea; how was he going to get up a Chinese union? What was he going to call it ?—A. He did not say.

Q. Where were they going to get their charter from ?—A. He did not say anything about it; he did not say much at all.

Q. You did not encourage the idea ?—A. I never thought of it.

Q. Would you take in an organization of Chinese and Japanese into a labour union ?—A. I don't know, I'm sure.

Q. How could you, with all your labour legislation against Chinese and Japanese, and your prejudice against Chinamen, how could you consistently advocate that they should become members of a labour union ?—A. I cannot understand it myself.

His Lordship.—What difficulty would there be in forming a Chinese and Japanese lodge ?

Mr. Richards.—They have them at present on the Fraser river. It might be merely a branch of that that was required here. This was merely a suggestion put out to organize the Chinese and Japanese if possible; to get them in an organization of their own.

By Mr. Bodwell :

Q. I wanted to know what Mr. Barber's conversation was. Mr. Baker volunteered that idea himself, did he ?—A. No, he did not express the idea to me.

Q. He asked you what you thought. Was your idea to ask for recognition of the Chinese and Japanese union ?—A. Well, the fact is they were not organized.

Q. Did anyone approach them on the subject ?—A. I don't know.

Q. Never heard about that ?—A. Yes, I heard something about that.

Q. What did you hear ?—A. You would hear all kinds of trash. The reports were as many as they are from below.

Q. Yes, but I want to get at something definite as to the steps taken towards the Chinese and Japanese on the lines of their becoming organized ?—A. There was nothing of any consequence.

Q. Am I right in saying that Mr. Baker advocated furthering the union in order to make Mr. Dunsmuir recognize the Western Federation ?—A. I don't know.

Q. Can you imagine a greater extreme than a labour man advocating the unionism of Japanese and Chinamen ?—A. That is only a suggestion, and I don't know what it means myself. I think you are trying to misconstrue that.

Q. No. You tell me it was talked about. Approaches were made to the Chinese and Japanese on the subject of organization ?—A. I said so.

Q. I understood you to say that you heard so—didn't you hear so ?—A. I heard lots of talk.

Q. I don't mean to say that you knew, but I understood you to say that there was talk of organizing the Japanese and Chinamen. Then I asked you this: whether you and Mr. Baker were ready to advocate an extreme measure of that kind in order to compel Mr. Dunsmuir to recognize the Western Federation ?—A. If I could assist a Chinaman in getting an organization of his own, I would do so.

Q. The object you had in view was to procure the recognition of the Western Federation ?—A. Yes.

Q. Were you ready to join Mr. Baker in advocating the unionism of Japanese and Chinamen, in order to get Mr. Dunsmuir to recognize the Federation ?—A. For the welfare of the Japanese and Chinamen.

Q. Since when did you have an interest in the Japanese and Chinese ?—A. As labourers, I have an interest in them.

ORIM WESLEY BARBER—Cumberland, May 27.

Q. I understand the labouring men wanted to get them out of the country. Do you approve of Chinese and Japanese labour ?—A. I approve, when you have to have them, that they are entitled to a little liberty.

Q. You believe they are entitled to work in the country ?—A. I believe they are entitled to have a union if they wish it.

Q. You would not advocate any tax on the Chinamen, or any legislation or anything of that kind to prevent them working in the mines ? Would you or would you not ?—A. That is getting to be a matter of politics, isn't it ? I don't think it is necessary to answer that question.

Q. Are you so fond of the Chinamen that you would act as a missionary among them for the purpose of getting them into a labour union ?—A. I would advise them certainly if I thought it would do any good; I would advise them to organize.

Q. Does not your examination show that both you and Mr. Baker were willing to take any measure you could that would compel Mr. Dunsmuir to recognize the Western Federation, and to go to the extreme of organizing the Japanese and Chinamen for that purpose. What do you say as to that ? Did not Mr. Baker say he thought that would bring Mr. Dunsmuir to time. Because, if you organized them, the first thing you would do would be to call a strike, wouldn't you ? Why don't you answer the question ?—A. Can that question be answered with yes or no ?

Q. I think so. I say the first thing you would have done would be to get the Chinamen on strike. The first step is organization. That is the general rule, or have the Chinamen got more sense than the whitemen, and they organize and don't strike —is that right ?

Mr. RICHARDS.—I think your Lordship that that is an insult to the people in the hall. I want to call Mr. Bodwell to order.

By His Lordship :

Q. What is the question ? (Question read). What answer do you wish to make ? —A. I have no answer to make at all; I don't know of any intelligent answer to give to it.

By Mr. Bodwell :

Q. I have asked you at least six questions without an answer. Now the proposition I was putting before you—I hope you won't think I am trying to be offensive—the statement I made was merely argumentative—but the point I wanted you to answer was whether if you had organized the Chinese and Japanese, would you have called a strike as the next step ?—A. If we did organize the Japanese ?

By His Lordship :

Q. The question is, Mr. Barber, if you organized the Chinese and Japanese would you have called a strike ?—A. I don't know anything about it. The Japanese and Chinamen cannot be organized in the Western Federation of Miners.

By Mr. Bodwell :

Q. Would there be any object in organizing the Japanese and Chinamen, if not to produce a strike ?—A. They would be left to their own affairs.

Q. Can you suggest that Mr. Moyer or Mr. Baker would have any purpose in organizing the Japanese and Chinese unless it was to bring about a strike, in order to assist your movement here ?—A. That would be left to the Chinamen. All that would be possible for Mr. Baker and Mr. Moyer would be to assist them.

Q. You refuse to draw what seems a very obvious inference.

HIS LORDSHIP.—Mr. Bodwell, you assume that Moyer wanted them to organize as members of the Western Federation of Miners ; he might want them organized by

themselves. And that having organized by themselves he would induce them to strike in sympathy with the Federation. That might be a fair way of carrying on the war.

Mr. BODWELL.—I put the proposition, and you heard his answer.

Q. How long have you been here this last time you came back here ; about a year and a half ago ?—A. Yes, a little more.

Q. How long had you been away from here ?—A. I was away from here between four and five years.

Q. How many years would you say you have been away from this camp ?—A. I believe about six years.

Q. You were down in the Kootenay country, were you not ?—A. Yes.

Q. Working in quartz mines ?—A. Prospecting and working in quartz mines.

Q. And you joined the Western Federation of Miners while there ?—A. Yes.

Q. What part of the Kootenays ?—A. Rossland.

Q. Were you in the Rossland strike ?—A. No.

Q. How long were you in Rossland ?—A. I generally wintered there.

Q. What mine did you work in ?—A. I have worked in nearly all of them.

Q. And you joined the Western Federation while there, and became acquainted with its constitution then ?—A. Yes.

Q. And you came back here about two years ago ?—A. Yes, sir.

Q. Do you know a man named Higney ?—A. I am slightly acquainted with him.

Q. Where did you meet him ?—A. Here, I believe.

Q. About a month before the organization ?—A. Not until after the organization.

Q. Do you know, as a matter of fact, that he came here shortly before the organization ?—A. I don't know what time he came.

Q. You might as well admit these things if you know them. Do you know a man named Chambers ?—A. I don't remember knowing a man of that name.

Q. Don't you know that Higney was sent here by Mr. Baker ?—A. I don't know.

Q. Do you know where he came from ?—A. I do not.

Q. Ever hear him say ?—A. Never did.

Q. Ever hear anybody else say ?—A. I believe I have heard that Higney was from Ladysmith.

Q. And you say you don't know that he came here shortly before the strike ?—A. I don't know how long before the strike.

Q. Do you know a man named Chambers ?—A. Yes, I remember Chambers.

Q. How long before the strike was it you saw Chambers ?—A. I had a very short acquaintance with Chambers.

Q. How long before the organization was the first time you saw Chambers at Cumberland ?—A. I could not say.

Q. About a month ?—A. I believe—I don't believe I knew Chambers until the organization ; that I knew him first when he became a member.

Q. He could not have been here very long before the organization, or you would have seen him ?—A. I might have seen him, but I did not know who he was.

Q. Do you know a man here from the Crow's Nest ?—A. I don't know.

Q. Would you be surprised to hear that he came from there ?—A. I would not be surprised to hear he came from anywhere.

Q. It never occurred to you that Higney was here doing missionary work for the union ?—A. No.

Q. Do you know a man named Hendricks ?—A. Yes; he came from the other side somewhere; I don't know where.

Q. He was not here very long before the organization ?—A. I believe he came a very short time before.

Q. Do you know a man named Wilson ?—A. I know several men by that name.

Q. Thomas Wilson from Nanaimo ?—A. I know two Thomas Wilsons.

Q. Do you know Thomas Wilson from Nanaimo ?—A. They are both from Nanaimo, I believe.

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Q. Did they both come here shortly before the organization ?—A. I believe I know the Wilson you have reference to.

Q. Do you know a man named Holden ?—A. I am very poor on remembering names; I might have.

Q. He came here shortly before the organization of this union—you don't know that ?—A. No, I can't say that I do.

His Lordship.—Suppose, Mr. Bodwell, that this organization was organized at the suggestion of the Nanaimo men, what is the point of it ?

Mr. Bodwell.—The point I will make is that the men here were not anxious for organization.

Q. Do you know a man named Swanson ?—A. I know a man named Swanson.

Q. He came here before the organization ?—A. Yes.

Q. Do you know a man named Edwards who came here from Nanaimo very shortly before organization ?—A. No, I cannot say that I do.

Q. Do you know a man named Godrey ?—A. No, I can't say that I do.

Q. Would it surprise you to learn, from what you know of local conditions, that these men were here shortly before organization, and were talking up union and organization in Cumberland ? Would you be surprised to know that, or have you not heard it ?—A. I never had any one approach me and I know nothing whatever.

Q. Would you be surprised to learn that these men were here very shortly before the organization, talking up organization at Cumberland ?—A. I don't know.

Q. And that when they got together a certain number they sent for Mr. Baker to come and organize the union ?—A. I don't know anything about it.

Q. And that the notice calling the meeting had no name attached to it; do you know that ?—A. I don't.

Q. Did you see any of the notices posted up ?—A. I don't remember seeing the notices.

Q. You went to the meeting which was held on April 5 ?—A. Yes.

Q. Don't you remember that Mr. Bicknell made a motion there that the question of whether there should be organization or not should be left to the men to decide by ballot—Mr. Thomas Bickell ?—A. He made a motion.

Q. And did not Mr. Baker say he would not allow that motion to be put to the meeting; that he had come to organize and was going to organize such men as were going into the organization anyway ?—A. I did not hear Baker say that; I don't think he did.

Q. Did not Baker say he had come to organize this union, and that he was going to do it with such men as he could get to come into it, whether the rest came or not ?—A. I don't remember.

Q. Or words to that effect ?—A. No, I don't remember.

Q. Will you undertake to swear that he did not ?—A. I am swearing to the best of my knowledge that he did not.

Q. That he did not say anything to that effect ?—A. Well, what the effect might have been, I don't know.

Q. Was Mr. Bicknell's motion put to the meeting ?—A. I don't know whether it was seconded.

Q. Was it not ruled out and not allowed to be put ?—A. I don't know; I don't think it was.

Q. Will you swear that it was not—that that motion was not ruled out of that meeting ?—A. I think it was not ruled out.

Q. That is, it was not put because it was not allowed to be put ?—A. I know the motion was not put.

By Mr. Rowe :

Q. Who was chairman of that meeting ?—A. Higney, I believe.

By Mr. Bodwell :

Q. And he is not here now ?—A. No.

By His Lordship :

Q. Is he a Nanaimo man ?—A. He comes from Ladysmith.

By Mr. Bodwell :

Q. Hendricks was secretary ?—A. Yes.

Q. Didn't it strike you as peculiar that these men, who were the last comers to the camp, that one should be chairman and the other secretary of the meeting, neither of them working at the time ?—A. Not so much in view that any person who had formerly taken these steps in unionism were discriminated against.

Q. Is that the reason ?—A. I don't know.

Q. Will you swear that Higney did not rule out Bickell's motion ?—A. To the best of my belief there was no ruling out of the motion.

Q. Is it not a fact that Higney refused to allow that motion to go to the meeting ?—A. I don't know whether there was a seconder to the motion or not.

Q. Because Mr. Baker said he would not allow that motion to be put to the meeting —that he was going to organize anyway—is that true ?—A. To the best of my belief it is not true.

Q. Now, what did Mr. Baker say with reference to that motion ?—A. There was quite a noise and Mr. Baker could not be heard very well. I don't remember him saying anything particular on that motion. I don't believe he said much on that motion.

Q. Why was not the motion put to the meeting ?—A. I don't suppose there was a seconder.

Q. Do you give that as an honest reason why that motion was not put to the meeting ?—A. I give that as the best reason I know of.

Q. Now, Mr. Collishaw made a motion or tried to make a motion ?—A. Yes.

Q. And his motion was that the vote as to whether there should be a union or not should be taken by ballot at the pit-head ?—A. I believe he did.

Q. Why was not that motion put to the meeting ?—A. I don't know whether it had a seconder.

Q. Is that not true that Baker said he would not allow either of these motions to go to the meeting—that those who did not want to organize could get out ?—A. In the best of my opinion, I believe he said nothing of that kind.

By Mr. Rowe :

Q. Did Mr. Baker speak at all concerning these motions ?—A. I don't think he spoke on the motions at all.

By Mr. Bodwell :

Q. And you tell me the only reason no motion went to the meeting was there was no seconder to either one of them ?—A. I don't knew whether there was a seconder ; it was not stated from the chair.

Q. Was that the reason it was not stated from the chair ?—A. I don't know.

Q. Did you form any opinion at the time from what you heard ?—A. No, I cannot say that I did.

Q. As a matter of fact, did not a number of men leave after this—didn't James Reid second Bicknell's motion ?—A. I don't know.

Q. Will you swear he did not ?—A. I won't swear he did.

Q. Didn't a considerable number of men leave the meeting when these motions were made, and not allowed ?—A. There were men left the hall after that.

Q. And before a motion to organize was put to the meeting ?—A. I think the motion to organize was put to the meeting before they left. Are there any minutes of that meeting ?—A. Yes, there are minutes of that meeting.

Q. I suppose the minutes don't contain any reference to these motions that I have mentioned, one moved by Bickell and the one by Collishaw?—A. I don't think they did.

Q. Now, you say there were 135 men joined. There were about 700 men at work altogether at that time on all the shifts ?—A. No, I don't think so.

Q. How many were at work then ?—A. We have got them all pretty nearly in the union, and they are about 300.

Q. How many men were working here at the time that these 135 joined the union ?—A. Mr. Matthews can give you a better idea as to that.

Q. Have you any idea ?—A. Somewhere over 300.

Q. So that 135—do you say there were 135 at that meeting when that resolution was passed ?—A. Yes.

Q. Did they join that date ?—A. Yes.

Q. After the meeting ? So that is the way you fix the number ?—A. That is the way we fix the number of members who joined.

Q. So 135 were the people who formed this union, without allowing a motion to have a ballot at the pit-head ? (No answer.)

Q. You say you have been holding meetings every week since of the union ?—A. Yes.

Q. And that 250 is the average attendance at these meetings ?—A. Probably.

Q. Now, these motions were both made and neither one of them put to the meeting ?—A. I don't think the motions were seconded.

Q. You will say this at least, that these motions were both made and neither one put to the meeting ?—A. I would further say in regard to that, they were put to the meeting by a man who has always taken a stand against unionism.

Q. Were these resolutions put to the meeting; you mean they were moved in the meeting. The men who moved them were opposed to unions ?—A. Men who always opposed unions, and always——

Q. And you determined that you would not hear the other side, that the men who opposed the union had no rights in a labour meeting to consider a question of organization ?—A. No, sir.

Q. Why was the motion refused; you see you have suggested the answer. You said these men were opposed to unions. Was that the reason why their motion did not go to the meeting ?—A. What I meant to suggest was that they were men that were always willing to take a stand against the men.

Q. Who wanted to organize. You don't concede the right to take the opposite view to you ?—A. Certainly.

Q. Why didn't you allow them to exercise their right and argue for their motion, and put it to the meeting ?—A. I had nothing to do with it.

Q. You said in your examination in chief that you had been holding these meetings with an average attendance of 250. Do you want to pledge yourself to that proposition ?—A. I was only giving an estimate.

Q. Where did you hold these meetings ?—A. In the city hall.

Q. How many will that seat comfortably ?—A. About 180 comfortably.

Q. Would you be surprised to know that by actual count you have not had an average attendance of over 70 ?—A. I don't believe that at all.

Q. What means did you take to estimate the numbers ?—A. Well, I was not giving any——

Q. But you gave a positive figure, and now you tell us it was an estimate ?—A. I did not give a positive figure.

Q. You said between 200 and 250, and do you still think that ?—A. I still think that.

Q. How many meetings have you had ?—A. Do you mean regular meetings ?

Q. Yes ?—A. Eight, I think.

Mr. HUTCHINSON.—One every week for two months.

Q. You formed this committee and came to Mr. Matthews on Friday evening, didn't you, about four o'clock—that is, Friday the 1st May, about four o'clock in the afternoon, and handed him your list ?—A. No, we did not hand him any list: we did not have the list with us. We asked him if he would accept a list.

Q. That was about four o'clock in the afternoon, was it not ?—A. Yes, I don't know what time it was.

Q. About that time when you got his answer, four o'clock in the afternoon ?—A. I believe it was about that.

Q. And the next day you came there about what time ?—A. I was not there the next day.

Q. Who did come the next day with a notice? You were not with the committee the next day ?—A. No.

Q. When they came to notify Mr. Matthews that they had struck, you were not there then ?—A. No.

Q. What time did you strike; did you go to work the next day ?—A. No.

Q. So that all the notice Mr. Matthews had of the strike was what could be inferred from your actions after four o'clock in the afternoon before you struck—that is right ?—A. Yes.

Q. Now, as to the discharge of these men—you understood you were laid off as a matter of discipline ?—A. Yes.

Q. Did you have any reason to believe that you were going to be permanently out of employment, so far as this management was concerned ?—A. Yes.

Q. What was your reason ?—A. For the reason that this company had acted in that manner on previous occasions.

Q. Were you here on previous occasions? That was the time of the Tully Boyce affair ?—A. Yes.

Q. Tully Boyce was very obnoxious to these men. That was shortly after the strike at Wellington, which he engineered ?—A. I was not acquainted with the man.

Q. You knew him by reputation ?—A. His reputation was not very largely circulated.

Q. Were you in the country at the time of the strike at Wellington ?—A. That was shortly before my time.

Q. Then the only thing you had to go on was that Tully Boyce came to organize, and that the officers of the union which he tried to organize were dismissed—were dismissed permanently ?—A. Yes, sir.

Q. And that is the only occasion you know anything about yourself ?—A. Yes.

Q. Was there anything Mr. Matthews said to you, or any official of this mine said to you, which would justify you in stating that you had expected from what their conversation was to be permanently out of employment at these works ?—A. No doubt, it would mean to be laid off.

Q. Tell me anything that Mr. Matthews said, or any official of this mine said to you which would justify you in drawing that inference ?—A. He would not deal with the Western Federation of Miners.

Q. He said he would not recognize the union ?—A. Would not recognize a list.

Q. The list was that they had to take back such men as you men ordered, not such as they chose to ask, in the order which you would place them on the list ?—A. In the order in which they were laid off.

Q. That is the order in which they would be put on the list handed Mr. Matthews ?—A. Yes.

Q. So that your proposition came to this: that he was to take a list from you which was to show the men he would employ, and the order he would employ ?—A. No, sir.

Q. That list contained the mode, and the order ?—A. There was no list.

Q. If you had a list ?—A. The list would have——

Q. That list would contain the names of the men to be employed, and the order in which they were to be employed ?—A. It would contain the dates they were laid off—each man, and the time his place was finished, and the date. It would be handed to him so that he would see it, and if he wished to start them on their regular dates—

Q. Do you mean to say if he had recognized your committee and had taken that list that would have been treating you right, and according to your understanding, if he employed the men in any other order except that mentioned in the list ?—A. They could have been employed different.

Q. Would the union have understood that that was what the management ought to do when they took that list from them ?—A. They would be expected to show some fair disposition in starting the officers.

Q. That was what you insisted, a fair disposition of the work—the list would contain ?—A. That would just simply be a record of what time they were out of places.

Q. Don't you suppose the company knew the time they were out, as well as the union ? What need was there for the union to give a list if the company knew ? Why don't you come to the point, and let us get on ? Can you give me another reason for handing that list in ? If it was simply a record of dates, the company have these dates ?—A. Well, it would have been showing a fair disposition towards the Federation.

Q. Now, that is the only thing you can put your finger on. Has the statement of any official justified you in inferring that you would not be employed on these works or the fact that Mr. Matthews said he would not accept that list. You cannot tell me anything else, can you ?—A. Only that we were walking around town out of work, and others were going around getting work.

Q. Will you undertake to say, Mr. Barber, that there were places for you men who were walking around ?—A. I don't know.

Q. So you cannot say anything about that then ?—A. I cannot say.

Q. Have you never been out of work temporarily before during your employment with this company ?—A. I believe I did have to walk around a month one time for asking for an advance.

Q. How long have you worked for the company altogether ? You worked here about two years this last time. When did you work for this company before ?—A. I could not tell you.

Q. How long ago ?—A. Altogether, I believe, between 6 and 7 years

Q. When did you begin, and where ?—A. I began work in the old No. 1 mine at Union.

Q. How long did you work there ?—A. I believe about 14 months.

Q. Then where did you go ?—A. Well, I think I went away from here then, somewhere about a year.

Q. How long ago was that ?—A. That was in 1890; I think it was then.

Q. Then you came back here, did you ?—A. Yes, I came back.

Q. And you went to work here again ?—A. Yes.

Q. How long did you work then ?—A. Really, I don't know; I believe a couple of years or so.

Q. It is only ten years. How do you account for not being able to go on ?—A. I have never kept a diary.

Q. Are we to believe that a man does not know where he has been working in the last ten years ?—A. It is a thing I do frequently—how long I have worked in certain places; I have been in a good many places.

Q. In the last ten years ?—A. No, but following up prospecting in the last ten years, and one thing and another.

Q. During the last five years, what has your principal business been—prospecting? —A. Not in the last five years. You hardly give a man a chance to make a statement.

Q. I would like to get some kind of a statement.

By His Lordship :

Q. You have been working for the company five or six years ?—A. I told about that; that can be found out from the company's books.

By Mr. Richards :

Q. Didn't you know that the men around here were anxious for a union, when it was organized first ?—A. I had heard some talk of it—not very much. I had been living at the Lake and heard very little.

Q. You know in a general way that the men around here would have liked to have had a union, if possible ?—A. Yes.

Q. When Mr. Baker came here, did he not say, or did he say, that he had come to organize here, and that if you wanted to organize, or wished it, he was ready to organize ?—A. I believe he did.

Q. He did not force it or advise it, but merely said he was here to organize, and if you wished it he was ready to organize ?—A. That was the statement, I believe.

By His Lordship :

Q. Did he say he was going to organize anyway ?—A. No, sir; I never heard that statement.

By Mr. Richards :

Q. That if the men wished it he would organize; that he was not going to force it on anybody ? That the Western Federation never cared to force their organization on anybody ?—A. Yes, he said that.

Q. What occurred after that ? Have you any recollection ? Did not some one make a motion to organize ?—A. I asked if a motion would be in order.

Q. And did not the chairman tell you it would be ?—A. Yes; I made a motion that we organize.

Q. And did not hear Reed say something ; don't you remember Reed saying something, but that he did not exactly oppose the motion ?—A. I did not hear Reed's motion; did not hear what he said.

Q. You remember what Bickell said ? Did Bickell make any personal remarks ? Instead of making a motion did not Bickell pass remarks which caused a hubub ?—A. Yes, Bickell made a remark that I was a single man, and had nothing at stake here.

Q. He passed personal remarks on other men besides yourself ? Was it not in amendment to the motion that it was of necessity out of order ? Bickell did not get his amendment seconded, but he started to make personal remarks ?—A. Yes, I think that was the case ; I never heard a seconder or heard the motion stated.

Q. Had there been an amendment would it not have been out of order the way he was putting it ?—A. Yes, it would.

Q. Were there calls for a motion to be put whether he would organize or not ?—A. There were.

Q. What occurred then, do you know ?—A. I believe at that time Baker rose up and said that any that did not wish to stop and become members—those that did not wish to become members of the Western Federation, he asked them to please retire.

By Mr. Rowe :

Q. That was before the motion was put ?—A. I could not say ; I believe it was before the motion was put ; I am not sure.

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By His Lordship :

Q. How many retired ?—A. I don't know.

Q. Fifty ?—A. There were a few men on top ; I don't think there were more than a dozen probably.

By Mr. Rowe :

Q. They were not miners ?—A. Not with the exception of three or four.

By Mr. Richards :

Q. There were a lot of other men that were not workmen of the company that went out ?—A. I believe there was.

Q. So that the men that stayed were all willing to be organized ?—A. Yes.

By His Lordship :

Q. Who administered the oath, Baker ?—A. Baker.

By Mr. Richards :

Q. Then after that what occurred ? You were discharged or laid off, were you not ?—A. I was laid off.

Q. For what length of time were you laid off ?—A. Two weeks.

Q. What happened when your two weeks were up ?—A. My place was finished.

Q. What did the manager say to you ?—A. It was the underground manager.

Q. You were in a stall ?—A. Yes.

Q. Had it any more ground to go, or was it turned into the next stall ?—A. Of course I cannot see ahead in the stall, but coal was there when I stopped.

Q. Have the other stalls gone farther than your stall ?—A. I don't know that; they were probably one staff farther up.

Q. Is it not usual, when your two weeks are up that you go to work ?—A. Yes, that is the custom.

Q. Is it the custom that you go on, after you are laid off two weeks ?—A. Yes, it is customary.

Q. Were there any men put on during that time ?—A. I heard there was ; I don't know.

Q. What conclusion did you come to when your work was stopped like that ?—A. Well, I came to the conclusion that there was no more work for me.

Q. When you interviewed Mr. Matthews about being placed on again, didn't Mr. Matthews say that he could not recognize the union under any circumstances, as Mr. Dunsmuir would not recognize it ? In fact, he meant it was the desire not to recognize the union ?—A. That is the way it appeared to me.

Q. That is the way you understood it. That has been the way it was in the past. About that telegram. You did not think that this telegram was what we went out on strike for—to organize the Chinese, or to approve of Cumberland being called out ?—A. No, sir.

Q. That is not the telegram, is it ?—A. No.

Q. Did Mr. Baker say when he formed the organization, that should the members be discriminated against, or if they would in any way try to break up the union, that the Federation would stand by them ?—A. He did.

Q. Was that not the understanding we went on ? The telegram has nothing to do with the strike ?—A. Nothing whatever.

Q. That is business apart from this strike, is it not ?—A. Yes.

His Lordship.—It seems to me the telegram speaks for itself. The object of asking for the telegram is to see if they could get support.

Mr. Richards.—What the witness means to say is that we did not go out on strike by reason of the telegram.

Q. Was there anything said about this place going out in sympathy with Ladysmith ?—A. Nothing.

Q. Did the telegram suggest that we went out in sympathy with Ladysmith ?—A. No, there was no suggestion.

Q. According to that telegram—it reads—' to win at Ladysmith' ?—A. That telegram has nothing to do with the strike situation.

Mr. ROWE.—The question was asked the witness if the strike was with the approval of the executive, and he said that they had received the approval of the executive by the telegram from the president in reply to a telegram asking for approval.

Mr. RICHARDS.—I am asking these questions to clear up the matter. There is a misunderstanding; this telegram was prior to the strike.

HIS LORDSHIP.—That is the telegram from Evans.

Mr. RICHARDS.—I am seeking to prove that that telegram has nothing to do with our strike, or calling us out here.

Mr. ROWE.—Then the question would arise, when was the approval of the executive obtained ?

WITNESS.—It is not necesary to have the approval of the executive, only for the support.

By Mr. Richards :

Q. Is that the understanding we went on, that should we be discriminated against, if we should go on strike, the Federation would support us ?—A. If you are attacked you can go on strike at any time.

By His Lordship :

Q. There is no doubt, Mr. Barber, that it was on the strength of this telegram that you went out ?—A. No; it was on the strength of that telegram that we based our idea of support. If we went out without the approval of the executive board, they might not give us support.

Q. This telegram was the day before you had the meeting here ?

Mr. RICHARDS.—No, that cannot be, it must be the 14th.

WITNESS.—It was the Saturday previous to May 2, the 24th.

Mr. RICHARDS.—That telegram was given to you to show you conclusively what Mr. Baker said at the beginning. I mean what Mr. Baker said as to the fact that should we be attacked for organizing, the union would support us. That is the situation; it is not the telegram, that telegram is not shown to back the statement.

Mr. ROWE.—How did the telegram come into the possession of this local ?

Mr. RICHARDS.—It was given to Mr. Barber by Mr. Baker, I think.

Mr. ROWE.—If it was given to this local it would appear to be given for the purpose of influencing the executive ?

Mr. RICHARDS.—Yes, it was given in that way; it would be then given to Ladysmith or Nanaimo; it would be shown around; it was given to show that we would have backing. The telegram would read that we should go out in sympathy. but that is not so.

By His Lordship :

Q. You got this telegram at the joint meeting ?—A. No, I got it from him in Nanaimo.

By Mr. Rowe :

Q. Previous to the joint meeting?—A. Before that, I believe; it was not in connection with the joint meeting.

Q. Was it read at the joint meeting ?—A. No.

Mr. HUTCHINSON.—What date is the telegram ?

HIS LORDSHIP.—It seems to be the 22nd or 24th.

Mr. HUTCHINSON.—Would the 24th come on Saturday ?

HIS LORDSHIP.—The 24th of April was on Friday.

Mr. HUTCHINSON.—Then we had the meeting on Sunday, the 26th—was it Saturday or Sunday ?

WITNESS.—It would be Sunday.

Mr. HUTCHINSON.—So that in that case the telegram would arrive before the meeting.

By Mr. Richards :

Q. This telegram did not influence the actions of that meeting ?—A. No.

Q. It had no effect at that joint meeting whatever ?—A. It was not known in the joint meeting.

Q. So therefore you came out on strike according to the constitution, and that the Federation, in observing the constitution would give you support ?—A. Yes.

Q. So, therefore, it is not in sympathy. About the Chinese and Japanese. Did Mr. Baker say he was thinking of organizing them, or getting them organized by some Chinese organizer ?—A. I had not discussed the Chinese question with Baker ; it was just a suggestion. I don't understand anything about the question at all.

Q. You would not be in favour of them joining the Federation ?—A. Certainly not ; they could not comply with our constitution and by-laws.

By Mr. Rowe :

Q. Why ?

By His Lordship :

Q. Don't you think Chinamen could discuss socialistic questions ?

By Mr. Richards :

Q. Would it be the scale of wages that would stop them ?—A. Yes.

By Mr. Rowe :

Q. They could not earn the wages, you mean ?—A. No.

By Mr. Richards :

Q. Would you be willing that they should have the same scale of wages ?—A. No.

By Mr. Rowe :

Q. Why not ?—A. They could not discuss intelligently questions coming before the union.

By Mr. Bodwell :

Q. Because they could not speak the language ?—A. Yes.

Q. How do you do with the Belgians or French ?—A. We would have interpreters.

Q. You could not have Chinese interpreters ?—A. There is no one here can understand the Chinese language outside of the Chinese and Japanese.

By His Lordship :

Q. Would there be any objection to their having a lodge of their own ?—A. I would not object.

By Mr. Richards :

Q. Don't the Japanese and Chinese have unions in different parts of British Columbia—they have on the Fraser ?—A. I believe they have.

Q. Would you have any objection to them having a branch of that union here? —A. Not at all.

Q. Was that not what Mr. Baker meant ?—A. I think that was so.

Q. Could you say that you had any information to that effect ?—A. No, I could not say that I had any information ; it was merely a suggestion.

Q. You state conclusively that this is not a sympathetic strike ; it is a strike for reinstatement of the men and recognition of the Federation ?—A. Certainly it is not a sympathetic strike ; I believe I made a statement on what I considered recognition of the union.

Q. What would be the reason why you would want the union recognized here ; so that you could have freedom to speak on different questions?—A. I have already gone through that.

By His Lordship :

Q. Did Baker show you this telegram in the presence of anyone else ?—A. No, sir.

Q. He gave it to you ?—A. Yes.

Q. What did he say to do with it ?—A. He did not say to do anything ; I might read it before the lodge if I liked—might ask their opinion—some suggestion of that kind.

Q. You read it, and asked their opinion ?—A. I did.

Q. When was that ?—A. At one of our regular meetings sometime since.

Q. Would it be the next regular meeting after the 24th ? I suppose it would ; you would not keep it in your pocket without saying anything about it for two weeks ? —A. I gave it to the secretary.

Q. When was your meeting ?—A. Wednesday—Tuesday at that time, I believe.

Q. At any rate, it was read at either the first meeting or the next meeting, after the receipt of the telegram ?—A. The first meeting, the secretary says.

Q. What action was taken by the meeting ?—A. It was discussed for a short time, and we came to the conclusion that we did not know anything about it.

By Mr. Bodwell :

Q. As a matter of fact, the officers of this lodge wanted the men to go out in sympathy with this lodge, and the men would not do it ?—A. No.

Q. Did not you advocate that yourself ?—A. No.

Q. None of the officers of the lodge ?—A. No.

Q. Mr. Baker did ?—A. I never heard him.

Q. How do you account for Mr. Moyer telegraphing to him that he approves of calling out enough men to win at Ladysmith ?—A. That is correspondence between themselves that I know nothing about.

Q. Was there not a telegram read at one of your lodge meetings from Ladysmith, about going out in sympathy with them ?—A. No, sir.

Q. Someone said that ?—A. There was not.

Q. Nothing of that kind done ?—A. No.

Q. Then you did not discuss the question of sympathetic strike with Ladysmith ? —A. No, sir.

By His Lordship :

Q. This telegram was read, I understand, at a meeting on April 29, the regular weekly meeting ?—A. Yes, I believe that would be the meeting probably.

Q. And you say there was no particular action taken on it ?—A. No.

Q. But the question of going out on strike was discussed at that meeting ?—A. No, sir.

Q. Was not discussed at all ?—A. No, sir.

By Mr. Rowe :

Q. When was the committee appointed that went to see Mr. Matthews in regard to the taking back of the men ?—A. I would have to look up those dates.

Mr. RICHARDS.—It was on the 9th.

By Mr. Rowe :

Q. So you did not know that you had a grievance until the refusal of Mr. Matthews to reinstate the men ?—A. Yes, we knew we had a grievance.

Q. But that established the grievance ? If he had taken back the men there would have been no strike ?—A. Leaving a reasonable length of time.

Q. Supposing Mr. Matthews had assented to your proposition, there would have been no strike ?—A. Yes, no strike.

Q. It was upon his refusal that the meeting was called, I understand ?—A. Yes.

Q. So that was to prove that your men were being discriminated against, and you took action on that on May 2 ?—A. Yes.

HIS LORDSHIP.—When did you go to see Mr. Matthews ?

Mr. RICHARDS.—May 1.

Mr. BODWELL.—Friday was the day they came, Saturday they called the strike.

By His Lordship :

Q. The meeting was held on May 2; you say notices were posted up here and there ?—A. Yes.

Q. I don't quite understand the closing up of the stalls. You might explain that a little more. You are giving us the impression that the company, when they want to get rid of you some way or other, close down your place ?—A. I think that can probably be explained better in some other cases than mine. Although I know that the stall I was working in was going somewhere near the surface, I don't understand the geographical survey of the mine, and it might be in a short distance——

Q. It might be an unfounded suspicion ?—A. It might be.

By Mr. Rowe :

Q. But you did not expect it to terminate so soon ?—A. No, I did not expect it.

CUMBERLAND, May 28, 1903.

DAVID HALLIDAY, sworn.

By His Lordship :

Q. You are a coal miner, Mr. Halliday ?—A. Yes, sir.

Q. How long have you lived here ?—A. Since the 10th or 11th of January—the second Monday in January, anyhow.

Q. Where were you before that ?—A. I was in Texada; I was there six months.

Q. Where before that ?—A. I was in Extension, B.C.

Q. How long there ?—A. One year.

Q. Where before that ?—A. Hamilton, Scotland.

Q. You are a Scotch coal miner ?—A. Yes, sir.

Q. Not quite two years in the country ?—A. I am just about two years in the country.

Q. What office do you hold in the local union ?—A. I am treasurer and a member of the executive board.

Q. Were you a union man in the old country ?—A. I was a member of a union in the old country—a coal miners' union.

Q. Tell us shortly the affairs leading up to the strike here ?—A. I don't know; the circumstances were pretty bad, seeing that a man could not say union, or if he said union, I could see that he would not hold his job long.

Q. What do you mean by saying union ?—A. That he could not exercise the right of freedom of speech; that is what I mean.

Q. On what subjects ?—A. I suppose on the trade union movement, or politics.

Q. Could not say anything about unionism or about politics ?—A. Or about politics, provided you were on the opposing side to the employers.

Q. If he did so he was in danger of losing his job ?—A. Yes, sir.

Q. Do you know of any cases where that happened ?—A. Yes, there was one man since I came here was fired, as they term it, discharged for saying something.

Q. Who was he ?—A. Walter White.

Q. Is he still in the place ?—A. I understand he is; I saw him last week; I could not say distinctly.

Q. Just tell us how he came to be discharged ?—A. Well, there were two members sent here from the Enterprise Union, No. 181, W.F.M., by the executive board of that union.

Q. Where is that ?—A. Ladysmith—by the executive board of that union.

Q. Was it by their wish or by request from here ?—A. No, sir, they were sent by the executive board to——

Q. Not in response to any invitation ?—A. So far as I am concerned, no invitation.

Q. Who were they ?—A. One was James Higney, I think, and another was an Italian; I don't know his name; I never met him.

Q. When did they get here ?—A. I could not exactly state; it was a week after they came here before I saw them.

Q. Can you tell us—as nearly as you can ?—A. About two weeks before the 5th April.

Q. I suppose it is in your interest to have this man White subpœnaed; if it is not we will not take the time ?

MR. BOWELL.—It does not matter whether he is called or not, we will explain in our evidence.

HIS LORDSHIP.—I think we had better have him here.

Q. These men came here about two weeks before; did you have any conversation with them ?—A. A conversation with one of them a week previous to the 5th of April.

Q. Tell us what that was about ?—A. He asked my opinion as to how it would be to form a branch of the W. F. M. in this town—if the men would like to become members of that organization. I said I could not state, that I had only been here about two months previous to that, and that he had a pretty hard nut to crack to form any branch of a union under the conditions that were existing here previous to that.

Q. When you said something about conditions, to what did you allude ?—A. The conditions I have alluded to before—that a man could not exercise the right of free speech, or he is liable to forfeit his employment.

Q. Yes, what did he say ?—A. He said he came to investigate individual opinion as to whether or not they wished to form a branch of that organization.

Q. What was the result ?—A. The result was that he found out most of the men were in favour of forming a branch of the W.F.M.

Q. Most of them. Can you give us some idea of the numbers ?—A. I could not give you an idea of the numbers.

Q. That was your honest opinion?—A. That was his opinion, not mine; I told him I could do nothing to aid him, and he would have to do his own work investigating matters. He only asked my opinion.

Q. Were you in favour of joining the W.F.M. ?—A. Certainly, I was in favour if they were forming one to join it.

Q. Had you looked at the constitution before you came to that conclusion ?—A. No, I had not had a look at the constitution, but I understood it was conducted on fairly democratic principles.

Q. You knew, of course, that the central authority was in the United States ?—A. I knew the central authority was in Denver, Colorado.

Q. And didn't you stop to consider the question of how far you were surrendering your freedom to the people in Denver ?—A. No, I did not think I was surrendering any freedom; I thought if a union was formed I might have a little freedom to exercise the right of freedom of speech, as a freeborn British subject.

Q. You had a meeting on the 5th ?—A. Yes.

Q. How was that meeting called ?—A. It was called by notice; I saw the notices on some of the telegraph posts around the town.

Q. How many were posted up before the meeting ?—A. I could not state exactly; I remember seeing one the night previous, but I guess they were out before that.

Q. About 48 hours' previous ?—A. I could not say how long they were out.

Q. Did Mr. Higney tell you that he had an interview with Mr. Baker ?—A. I cannot recall.

Q. Did he tell you he had an interview with people in authority belonging to the Federation ?—A. Certainly, that he was sent here by the executive board of the Ladysmith union.

Q. Had he communicated with the central authority at Denver ?—A. Not that I know of.

Q. They would have something to say about the forming of a union ?—A. I presume they would.

Q. Would it be right to conclude that he had the approval of the Denver people before he started on this investigation ?—A. It might be right to conclude so; I suppose he would, but I cannot state.

Q. How many men were at the meeting ?—A. About 150, I guess. You mean previous to organizing ?

Q. I mean April 5th ?—A. There were over 150 in the meeting when it was opened.

Q. How many would have had a right to go to the meeting; how many white coal miners ?—A. I suppose about 250.

Q. About 100 stayed away, then ?—A. Yes.

Q. How long did the meeting last ?—A. About four hours, I think, or a little more perhaps; somewhere around four hours.

Q. Who was chairman ?—A. James Higney, if James is his name. Higney anyway.

Q. I suppose he addressed the meeting and explained the object of it ?—A. I was not there at the opening of the meeting.

Q. During the time that you were there who addressed the meeting ?—A. Mr. Baker was addressing the meeting when I entered the hall.

DAVID HALLIDAY—Cumberland, May 28.

Q. What was he talking about ?—A. I cannot recall what he was talking about exactly.

Q. No recollection at all ?—A. No recollection.

Q. His subject was not interesting ?—A. I never heard much of his speech

Q. Too much noise ?—A. I came in about the end of his speech.

Q. You came in about the end of his speech. Did he say anything about organization ?—A. I cannot recall what he said.

Q. How do you account for that; did you feel no interest in what he said ?—A. I cannot account for it; I suppose my memory just fails me on that particular point.

Q. Were there any resolutions put to the meeting ?—A. There was a motion moved by Orim Barber that we form a branch of the W.F.M. in this town, seconded by a man named Swanson, I think.

Q. Was that motion discussed ?—A. Immediately after there was an individual tried to move an amendment; Reed, I think, by name. The amendment was that we do not form a branch, so therefore, it was not an amendment, and Bickell tried to second it. It was no amendment because it was a negative of the motion, and therefore, it was out of order. Bickell got up and tried to say something.

Q. A discussion then arose, and this proposed amendment was ruled out of order ?—A. I understand it would be.

Q. Were there any besides Reed and Bickell who spoke in favour of having no union ?—A. A man named Nelson got up and tried to say something, but there was a lot of noise at the time.

Q. I gather that the feeling of the meeting was in favour of the motion ?—A. Unanimously in favour, with the exception of about four dissenters, I think. I could see about four that got up and tried to object to forming the branch.

Q. What number were in favour of the motion ?—A. I could not tell you.

Q. Some went out, I suppose ?—A. After the motion was declared carried, those who did not wish to become members of the W. F. M. were requested to retire.

Q. And how many went out ?—A. I could not tell you.

Q. Could you give us any idea—twenty ?—A. I cannot recall how many went out.

Q. About 100 remained, when he proceeded to organize ?—A. No, sir.

Q. How many would you say ?—A. 147, I understand.

Q. Remained for the purpose of organizing ?—A. Yes, sir.

Q. Were the whole 147 sworn in that day ?—A. Yes.

Q. Signed the roll, did they ?—A. Not exactly.

Q. What did they do ?—A. Simply gave their names to the secretary pro tem.

Q. At this meeting was there any communication read from any person in Ladysmith relating to the strike ?—A. It might have been read previous to my coming, but I cannot recall that it was read in my presence.

Q. You did not hear any communication read ?—A. I don't think it.

Q. Did you hear any communication at all read to the meeting ?—A. I cannot recall that part of it.

Q. What was done after organization ?—A. We proceeded to elect officers, I suppose.

Q. Was the question of joining the W. F. M. decided by open vote, or by ballot ?—A. It was decided by open vote.

Q. Was there any suggestion that it should have been decided by ballot ?—A. Yes, there was a suggestion made by one Collishaw; it was previous to the W. F. M. being organized. We left it over for a week's consideration.

Q. I mean the question as to whether you should join or not. You say that was decided by vote ?—A. The motion to join the Federation was by open vote.

Q. Was there any suggestion that that should be by ballot ?—A. At some part of the meeting Collishaw tried to make a suggestion that we leave it for a week for consideration, and then we decide by secret ballot.

DAVID HALLIDAY, Cumberland, May 28.

Q. No attention was paid to that ?—A. That was simply an objection, and we did not see any motion called for.

Q. At any rate, it was not seconded ?—A. I don't think it; I remember him making it as a suggestion.

Q. Don't you think an important question of that kind should be settled by ballot? —A. Under certain conditions, yes. I believe in deciding everything by ballot.

Q. Why was it the ballot was not used at this time ?—A. I guess they had not made preparation for it; I was not conducting the meeting, so I don't know anything about it.

Q. Would you just tell us shortly what you consider to be the advantages of a union ?—A. Well, it is a means of educating the working class. They have discussion in their union as to their position in society.

Q. The position of the workingmen in society is frequently discussed ?—A. I understand it is.

Q. I suppose it brings about a condition of mutual confidence ?—A. I don't understand what you mean by mutual confidence.

Q. I suppose one condition of a union is that the men have more confidence in each other than if they were not organized ?—A. Certainly.

Q. What other advantages would you say there were ?—A. Well, if you are getting at the Western Federation, its political policy as denoted at its last convention.

Q. I was first getting at the advantages of unions generally, and then I was going to see what special advantage there was in the Western Federation ?—A. Well, there are sick benefits and so on attached to it.

Q. Well, now, you can tell us what are the particular benefits in joining the Western Federation ?—A. As I said before, its political policy as defined at its last convention. It takes up the whole problem; its 10th annual convention at Denver, Colorado.

Q. Can you give us a copy of its declaration on that point ?—A. I have no copy.

Q. Could you provide us with one ?—A. It might take some while to provide you with one. If you send to Denver you might get a copy.

Q. Can you tell us what it was ?—A. Well, it was decided by a majority vote to support the socialist party.

Q. That is, you say socialism was declared for at the last convention ?—A. It was decided to support politically the socialist party.

Q. Could you tell us shortly, Mr. Halliday, what you exactly mean by socialism ? —A. I don't think that I could define it here. It would take a long time to define it so as to understand it.

Q. Can you tell us the leading features ?—A. It is a scientific analysis of human society and capitalist production. It is the favoured emancipation of the working class.

Q. What is meant by that is that all workers are to be put in a favourable position ?—A. It means that the working classes will control the machinery of wealth production, and use it to their material benefit.

Q. What is the mode proposed by which they will accomplish that end ?—A. By the ballot; the only way they can do it.

Q. Supposing they get a majority of people to think that way, how are they going to effect that ?—A. By capturing the reins of government. It means that the people will be the government, and that all natural resources will be owned and controlled by the people.

Q. All natural resources to be managed by the government ?—A. By the people.

Q. The government of course representing the people ?—A. By the people, I will say.

Q. I suppose the government would be a committee of the people ?—A. It might.

Q. We are anxious to know just what workmen feel about this question ?—A. There are various books published on the subject, and if you want to obtain a scien-

tific analysis of the situation you could procure a copy of Carl Marx's 'Capital.' I have stated it briefly; it might take a considerable time.

Q. You say that Carl Marx's book is the text book?—A. It is the groundwork of modern socialism.

Q. That is the work that is most in favour with the Western Federation?—A. I don't know anything about that.

Q. I understand the Western Federation declared in favour of socialism?—A. Possibly, to support socialist candidates, but I say that Carl Marx's is the groundwork—a scientific analysis of capitalist production.

Q. You have read this work, have you?—A. I have not read the original work; I have read the students' Marx by Doctor Aveling. The original work is written in German; it is a summary of the whole matter.

Q. Is that work much read among the men?—A. I guess so. By many people who are investigating the present conditions in human society, I suppose it is read.

Q. That is one object of the Western Federation—to take an active part in the politics of the time?—A. Certainly; it is only by politics that they can obtain their final emancipation.

Q. That is, to secure their ends through the medium of the ballot?—A. Through the ballot—political machinery.

Q. What is the view of the majority about these matters, in the Western Federation?—A. I cannot tell you; I never inquired.

Q. Do they discuss these matters in their convention?—A. I don't suppose they do; I was never in their conventions, but I presume they discuss their material conditions.

Q. Is it considered that the workingmen would get a larger share of the country's wealth by this means?—A. It is considered that labour produces all wealth; therefore, to labour that wealth should belong.

Q. Would you consider it sufficient for the purposes of the men to have a coal miners' union in British Columbia, without belonging to an international organization?—A. No, I believe in international organization.

Q. Would you state briefly why you prefer international organization?—A. Because capitalism is international. Therefore, the only effective way of annihilating that is by international unity.

Q. Has the Western Federation power to call the men out on sympathetic strike?—A. Not according to the constitution; they have no power to call anyone out on strike unless by a three-quarters majority vote of any particular branch of the members of the Western Federation of Miners.

Q. Do you think sympathetic strikes ought to be resorted to on some occasions?—A. I don't believe in sympathetic strikes.

Q. Why?—A. I don't believe in strikes at all, unless by striking at the ballot box.

Q. Do you think the boycott is a fair weapon to use?—A. With reference to what?

Q. As a weapon in aid of strikes?—A. Boycott who?

Q. Anyone having dealings with the employers?—A. No, I don't believe in the boycott.

Q. You think it is not effective?—A. It depends under what conditions—I don't know. The only way out of the dilemna is by the ballot box, and that is my position as briefly as possible. Politics are the only lawful means, and not by means of strikes.

Q. Do you consider that an employer has the right to employ non-union men?—A. He has a right to do as he pleases as long as the workers give him the lawful power.

Q. You think he is not wrong in employing non-union men?—A. No, because the whole thing is wrong.

DAVID HALLIDAY, Cumberland, May 28.

Q. I suppose you think there ought to be no employer ?—A. As I said before, the working class are to run the machinery of wealth production in their own interests. They run it now, and they can run it without employers ; employers don't run them.

Q. Would you say that a non-union man has a right to get employment ?—A. I don't know what you mean by 'a right.'

Q. I suppose he has a right to live ?—A. Yes, if that is what you mean.

Q. Then if he has the right to live, he has a right to get employment under existing conditions ?—A. I suppose if he has to get employment to live, the logical deduction is that he has a right to get employment.

Q. And do you think it should be left to his own free will whether he should join a union or not ?—A. I guess so.

Q. The only way to exercise that free will is by ballot, is it not ?—A. What free will ?

Q. Whether he should join a union or not ?—A. He can join a union whether he likes or not ; that has nothing to do——

Q. That comes back to the old question. You bring a body of men together and decide as to whether they should be a union ; the only way is by the ballot, is it not ?—A. Certainly, if that is what you mean.

Q. Then, if an employer has a right to employ a non-union man, and he has the right to get work, that destroys any argument in favour of sympathetic strikes, does it not ?—A. I simply stated my opinion of sympathetic strikes.

Q. You don't believe in that at all ?—A. I stated that previously.

By Mr. Rowe:

Q. You say, Mr. Halliday, that there was no freedom of speech previous to the formation of the union here, that there was a curtailment on the liberty of speech in reference to political matters. What political doctrines were they that men could not mention without danger to themselves ?—A. I stated that trade union talk or political talk could not be discussed without forfeiting your employment. If you took opposition to the employers—that is the position.

Q. In referring to politics you probably thought of the doctrines of socialism particularly ?—A. Well, any politics that would make the position of the capitalist uncertain, and I suppose the socialist political party is the only party to do that.

By His Lordship :

Q. You had no reference to local politics ?—A. Provided it was opposing the employer getting into power, certainly.

Q. Could you tell us the process by which the men are discharged ? Is it a gradual process ?—A. Simply discharged, I presume.

Q. Are a body of them laid off at one time ?—A. I understand there was a body laid off at an election a few years from now.

By Mr. Rowe :

Q. At the meeting on the 5th April you say there were 150 present ?—A. About that.

Q. And there were about 250 who could have been present—white miners. Were there any men on their shift at that time ?—A. I suppose there are a few men working on Sundays, but I cannot tell ; the meeting was held on Sunday at two o'clock. When there are two shifts running that is the best time.

Q. What do you understand by recognition of the union ?—A. That the men had a right to organize the union; that is all.

Q. Not seeking any interference in the management of the mine?—A. Simply seeking the right to organize as a branch of the W.F.M. ?

Q. Would that involve the appointment of a pit committee ?—A. I presume the executive board attends to these matters, and that it is for the organization to decide on all their conditions.

Q. But in asking for the recognition of the union it may mean only asking for the right of the men to join an organization, or it may mean for the recognition of the appeals of the union by the management, and the conduct of its affairs by the management. I think the Commission would like to know which is meant ?—A. So far as I know, it is simply the right to organize a trade union or a branch of the W.F.M.

Q. When you ask that a union be recognized, that does not mean you are asking an employer to enter into a contract with the union ?—A. Yes, with the union as a body and not as individuals.

Q. It would not satisfy the men to have an opportunity of making individual contracts ?—A. For the simple reason that they cannot.

Q. That the men shall be permitted to make them as a body and not as individuals ?—A. Certainly.

Q. And that involves, of course, pit committees, and a committee of the union to see the manager about grievances ?—A. It involves a committee to see the management about these matters, I understand.

Q. Does it involve the exclusion of non-union men from the works ?—A. That is for the union to decide.

Q. Would they have that power under the proposed arrangement ?—A. Would the union have that power ? Perhaps they would try to take the power.

Q. It virtually means the exclusion of non-union men to have the union recognized ?—A. In many cases that is what it does involve.

Q. Speaking of the international relationship, Mr. Halliday, you stated the interests of workers were one in all nations, or in two nations are they international ?—A. The interests of all workers of all countries are identical.

Q. And their interests demand the abolition or destruction of the present political system ?—A. Of the present economic system.

Q. That would involve the destruction of the present political institutions ?—A. Yes, as they exist.

Q. What is the relation of men holding that view to the national institutions of their respective countries ?—A. I don't quite understand the question.

Q. Are they loyal to the political institutions under which they live ?—A. Certainly, they are trying to change them.

By His Lordship :

Q. He means can you be a good Canadian and belong to the Western Federation of Miners ?—A. Certainly.

By Mr. Rowe :

Q. No retriction upon his service in the militia ?—A. You mean if——

Q. If he is a member of the Western Federation ?—A. Not as an individual; he would be left to his individuality still; no restriction connected with that.

By His Lordship :

Q. The idea of any members joining the militia, either in the States or Canada, is disproved of by the Federation of Miners, is it not ?—A. I don't know.

By Mr. Rowe :

Q. According to your view there can be no situation arise that would separate or antagonize the interests of the workers in different countries. No question outside of the economic question—that would put them in hostility one nation with the other ?—A. I said the interests of the workers of all countries are identical, and I stand by that statement.

Q. Then the relationship of a man to the workers of another country is closer than the relationship to his own state ?—A. It is, perhaps, closer than his relationship to the capitalistic members of society.

Q. Or to the political institutions of his own country ?—A. I don't quite understand what you mean. His relations to the political institutions of his own country are to try and capture them. There is nothing to prevent a man being a law-abiding citizen ; he is the law-abiding citizen. There is nothing to prevent him ; he is the most peaceable man there is.

Q. You say the socialist is the most peaceable man there is ?—A. Certainly, he understands the position, that is all.

Q. You regard trade unionism as an imperfect instrument for the object to be attained ?—A. Pure and simple trade unionism, I regard as imperfect; that is pure and simple trade unionism without political machinery.

Q. I suppose that you consider necessary for their interests is political revolutionary organization ?—A. Yes.

Q. And that is the ground of your judgment of the Western Federation ?—A. My judgment of them is their political policy.

By His Lordship :

Q. What is the position of the Western Federation regarding breaches of the law by any of its members ?—A. It ought to condemn them for breaking the law.

Q. Your view is that the members ought to obey the law, but try and change it ?—A. To change it ; that is the exact position ; change it by lawful means.

Q. You don't believe in compulsory arbitration ?—A. No, I don't.

Q. What do you say about conciliation ?—A. There is no conciliation and cannot be any between employers and employed ; that is impossible.

Q. There is a fixed gulf between the employer and employed ?—A. A fixed gulf that is here before us.

Q. Would you go so far as to say that the employers are natural enemies of the employees ?—A. Well, I don't blame any individual employer ; it is the capitalist system that I blame ; it is the system ; it is not the individual that I am thinking of.

By Mr. Rowe :

Q. But as an intermediate step for the purpose of present cases, would you not approve of conciliation ?—A. I stated there could be no conciliation.

Q. Not perhaps as a radical cure, but in any particular dispute could there not be some ground of settlement discovered by mutual concessions that would be useful in the meantime ?—A. There might be.

Q. You would consider that better than striking ?—A. I don't believe in striking, I said previously.

By His Lordship :

Q. How would you suggest that these strikes should be settled ?—A. I am not in favour of strikes, and I cannot state an opinion as regards that.

Q. You did not vote for the strike then ?—A. I voted for the recognition of the Western Federation of Miners.

Q. You were a member of the joint executive at Nanaimo ?—A. I was on that joint executive.

Q. When was that held ?—A. The Sunday previous to May 2nd, I think ; there were two meetings of that executive, one Saturday and one on Sunday.

By Mr. Rowe :

Q. The 25th and 26th of April, I fancy ?—A. That might have been it.

DAVID HALLIDAY—Cumberland, May 28.

By His Lordship :

Q. While there, Mr. Baker was present ?—A. Mr. Baker was present.

Q. Did he show you any telegram from Moyer ?—A. Not at that meeting of the executive.

Q. At any time ?—A. I guess I did see a telegram from Moyer ; I cannot recall when ; sometime when I was in Nanaimo ; I cannot recall whether it was after or before the meeting.

Q. Who asked Moyer for approval of this step ?—A. I don't know; I cannot say.

Q. Did you see the telegram he sent ?—A. That he sent ?

Q. Yes.—A. No, I never saw the telegram that he sent.

Q. We have been told that it was agreed by the executive that an effort should be made to assist the Ladysmith men ?—A. It was agreed by the joint meeting of the miners.

Q. That a levy of one dollar should be made ?—A. Yes.

Q. Has any money been sent to the Ladysmith men ?—A. Where from ?

Q. From either here or Nanaimo ?—A. I guess from Nanaimo ; there was none sent from here.

Q. The advisability of organizing up here and going out on strike was discussed at the joint executive?—A. It was never discussed; the Cumberland situation was not discussed.

Q. What was discussed ?—A. The meeting was called for the purpose of considering the most effective method of relieving the distress of the Ladysmith members of the organization.

Q. Was it not considered that one way to aid them was to have a strike here ?—A. It was not discussed.

Q. Were you present at both meetings, during the whole time of the meetings ?—A. Yes, during the whole time of the meetings. The situation at Cumberland was discussed in so far as the position we were in.

Q. As to the advisability of forming an organization ?—A. No, we had formed previous to this; we were just relating our position.

By Mr. Rowe :

Q. As to the advisability of a strike ?—A. No, simply relating our position.

By His Lordship :

Q. You informed the joint executive as to your position here ?—A. Certainly, they knew we were organized.

By Mr. Rowe :

Q. How did you describe the situation ?—A. I described that certain officers of the union had been discriminated against.

By His Lordship :

Q. Your only remedy against that was a strike, was it not ?—A. The only remedy was to try and see if they could be reinstated.

Q. Failing that, then a strike, I suppose.

By Mr. Rowe :

Q. Was it suggested then that you should request their reinstatement ?—A. I don't know that it was much discussed; the situation was simply detailed to them.

Q. There was no suggestion that an ultimatum should be issued to the management in reference to that ?—A. No, I don't think it.

DAVID HALLIDAY, Cumberland, May 28.

By His Lordship :

Q. Don't you think it a little singular that the matter of what Cumberland should do was not taken up and discussed by your joint committee ?—A. I don't think it was necessary to discuss it. The position was before us, the same position as the Ladysmith men.

Q. It was plain that the only thing the Cumberland men could do was to ask for reinstatement, and failing that, go on strike ?—A. That was the position.

By Mr. Rowe :

Q. Why was there no money sent from here to Ladysmith ?—A. After that meeting we had a meeting here previous to going out on strike, and we decided to hold the money here, as we might require it.

Q. That would be the meeting at which the strike was declared ?—A. No.

Q. Before the meeting—it was the meeting previous ?—A. The Wednesday following that Sunday we met and decided we should retain the $1 ourselves.

Q. And you decided also to send your committee to see Mr. Matthews ?—A. Yes.

Q. And you decided that pending the issue of that action you would hold the money ?—A. No, we did not decide that; we decided that later on.

Q. You did not discuss the question of holding the money then ?—A. Not at that particular meeting.

Q. When did you discuss it ?—A. Later on at another regular meeting; at a meeting following the strike.

Q. That would be money which would have been sent to Ladysmith supposing there had been no strike here ?—A. I can hardly tell; I suppose it would be sent to Ladysmith.

Q. When ?—A. I could not exactly tell that; perhaps after pay-day.

Q. You were one of the committee that waited on Mr. Matthews ?—A. Yes.

Q. What did you ask him to do ?—A. The principal point at issue was if he would accept a list of the names of the men that had been laid off work, and would he reinstate them in the order in which they were laid off—the order of time, the order when they were re-employed which would correspond with the order they were laid off.

Q. Was Mr. Barber's name in that list ?—A. I could not say. We had not a list in our possession; we only asked him if he would accept a list.

Q. That is, you asked him to take the men back in the order of the dates at which they were laid off ?—A. Yes, that has been the custom in other places I have been in, and I suppose it is here.

Q. You simply asked the management to do in relation to these men what was done with other men ?—A. Yes.

Q. What was said ?—A. He refused to take the list of the men, I don't know why. I cannot recall what he said: I am satisfied that he refused, and that is all that is necessary. I don't think he gave his reasons.

Q. You understood him to say that he would not reinstate these men in the order which they had been laid off ?—A. We took it as a refusal.

Q. Did you tell him what the result of his refusal would be ?—A. No, we could not tell him that before a meeting of the majority voted to decide on it.

Q. Were you laid off ?—A. Yes.

Q. Under what circumstances ?—A. My place was stopped.

Q. Was it necessary ?—A. Not quite necessary I worked my last shift on April 9, four days after we organized. I was on shift, and my partner told me I could not go to work that afternoon, that our place had been stopped; the boss stopped the place, and said it could not go any further. My partner was laid off also, until the following Tuesday.

Q. Was he an officer of the union ?—A. No.

Q. Was he a member ?—A. Yes.

Q. He started on the following Tuesday ?—A. Yes, I think the 14th.

Q. How long were you out of work before you went to Mr. Matthews as a member of that committee ?—A. Three weeks.

Q. And your partner was only out of work three days ?—A. Started on Monday, that was only two shifts.

By His Lordship :

Q. Has this place been worked by anyone else since ?—A. No; it has not been; I was there to get my tools.

Q. And the only reason you can assign is your action as an officer ?—A. Certainly.

Q. I suppose there were some informal discussion between parties at Nanaimo outside of the meeting ?—A. I suppose we would converse freely.

Q. And the matter of the whole situation discussed between you?—A. It might have been; I cannot recall all that I said, or that everybody said to me.

Q. Referring to your view of what the workmen should do, you say they should capture the resources of the country ?—A. Yes.

Q. Would you compensate the present owners, or would you confiscate ?—A. I would neither confiscate nor recompense the owners. They are doing the confiscating now.

Q. Take the present position—the property of the Wellington Colliery Company; how would you do that ?—A. We would take it over.

Q. You would not give any compensation to the owners ?—A. No, it is simply taking over what we produced.

Q. If that doctrine were logically followed out you would owe something to the men ahead of you; the men who worked in the mines before you came in ?—A. Well, they were the members of our class.

By Mr. Rowe :

Q. What class do you include among the workers ? What do you mean by working class ?—A. No more than this: there are two classes, the exploiter and the exploited; the working class are the exploited, and the owners would be included as exploiters.

Q. In this case, referring to the Wellington Colliery Company, the working class would be all those except the owners ?—A. Certainly.

By His Lordship :

Q. Supposing a man worked five years, and had not worked since the five years —he would have some share ? Would you say, when the time came to assume these resources, that he should be compensated ?—A. When we assumed these resources he would be living elsewhere—a citizen of there, not here. He would be somewhere on this earth where action was being taken in the same manner.

Q. And you would include in the working class all those who work for wages or hire—that is the dividing line, is it ?—A. Yes, that is the dividing line.

By Mr Bodwell :

Q. Is it right to assume from what you have said that the primary object of organizing the Western Federation at Cumberland was to assist the socialists in their political fight in British Columbia ?—A. Not their primary object.

Q. Was it one of their objects ?—A. It is the final object.

Q. What was one of the other objects?—A. The object of forming this organization in Cumberland was to exercise the right of freedom of speech.

Q. Was one of the objects to assist the socialist party in politics in British Columbia?—A. I presume that the giving to the members of that organization——

Q. You said that the reason you approve of the Western Federation of Miners was that they were politically supporting the socialist party; is that right?—A. Yes.

Q. Do you mean to say or will you say, that one of the objects in forming the Western Federation at Cumberland was to assist the socialist party in politics in British Columbia?—A. Politically, yes.

Q. Was that object discussed by Mr. Higney when he came here to do the missionary work?—A. Certainly not.

Q. That was not disclosed to the men?—A. He might have disclosed it; he did not disclose it to me; I understood it previously.

Q. Mr. Higney came as an emissary from Mr. Baker, and you understood that as part of his business ?—A. His business was to organize.

Q. And for the purpose of assisting the socialists ?—A. His purpose was to organize a branch of the Western Federation of Miners.

Q. Now, I ask you if that was disclosed to the rest of the men ?—A. I don't know.

Q. You never heard Mr. Higney discuss it ? He never discussed it at the meeting on Sunday ?—A. Mr. Higney was chairman of the meeting.

Q. He was the first man to come here, and was chairman of the meeting, and he did not disclose that object to the members of the meeting on Sunday ?—A. I did not hear him.

Q. Did you hear anybody else say anything that would indicate that he had disclosed it ?—A. I cannot say.

Q. How did you come to be selected as treasurer of that organization ?—A. Because I was proposed.

Q. Who proposed you ?—A. A man of the name of McAllister.

Q. Who arranged the programme of officers before the meeting was called ?—A. Nobody arranged it.

Q. You did not talk it over with anybody ? I suppose you must have been surprised when you were proposed as treasurer to that society ?—A. Certainly, I was surprised.

Q. Had never thought of such a thing before ?—A. No, I never had talked to anybody about it before.

Q. Nobody had talked to you ?—A. No.

Q. Who proposed you ?—A. McAllister, I said.

Q. Where is he now ?—A. At Nanaimo.

Q. He was not working here at the time ?—A. Yes, he had been working here for thirteen months.

Q. Who proposed the secretary ?—A. I did.

Q. You had not spoken to anybody about having him secretary ?—A. It simply came into my head.

Q. A sort of intuition ?—A. Yes, that is it.

Q. What other officers were elected ?—A. There were president, vice-president, recording secretary, secretary, treasurer, executive board, board of trustees and finance committee ; I think that was all.

Q. How many more of them did you propose ?—A. I don't know that I proposed any more.

Q. You were satisfied when you got the secretary in ?—A. I proposed the man, and I must have been thinking he was a good man for the job.

Q. You didn't propose any more. When you proposed the secretary your work at that meeting was over ?—A. No, I had to vote for other people afterwards.

Q. But you did not have any further names to propose ?—A. No, because I knew few people in the hall.

Q. Why did you not propose some member of the executive board—because it was not arranged that you should. You are a man working in Cumberland about a year.

DAVID HALLIDAY—Cumberland, May 23.

There were about 150 men who had been working from five to six years in this camp, were there not ?—A. Yes, I suppose so.

Q. And you, a new-comer, were suddenly proposed as treasurer much to your surprise ?—A. Yes.

Q. And then you, much to your surprise, proposed the secretary who was also—how long had the secretary been living in this camp ?—A. I don't know ; he was here before me ; he was a young man too.

Q. Does it not strike you as peculiar that none of the older men who had been here a number of years were proposed for any of these officers ?

Mr. HUTCHINSON.—I might say the secretary worked for twelve years for Dunsmuir's company.

By Mr. Bodwell :

Q. You did not know that ?—A. I knew he was here at least a year, and had lived at Wellington.

Q. And you say there was no amendment before the meeting ?—A. None, so far as I was concerned.

Q. Mr. Barber is president ?—A. Mr. Barber is president.

Q. Do you know how long he had worked here ?—A. He said off and on for thirteen years ; I did not know him ; I had not seen him.

Q. You say a man was dismissed on account of exercising freedom of speech ?—A. He had stated his opinion—he had told another man that he was working for less wages than he ought to get.

Q. Was that all he said to the other man ?—A. That was all, I was informed.

Q. The other man quit work ?—A. Yes, some time after that.

Q. And this friend of yours was dismissed for interfering with the discipline of the mine ?—A. He is not a friend; he is simply a workingman here.

Q. You have got pretty advanced opinions yourself ?—A. Yes.

Q. And are in the habit of expressing them ? You worked here for a year ?—A. No, I said a little over two months.

Q. You were in Extension for a year under the same management, and under the same conditions as existed at Cumberland as to freedom of speech ? Did you curtail your speech at Extension ?—A. A little; I was afraid I would be dismissed; yes, furthermore, I was dismissed.

Q. After you joined the organization, not before—you were not laid off ?—A. I was dismissed at Extension, I mean.

Q. What did you do there ?—A. The boss might tell you ; James Sharp was the boss.

Q. Why were you dismissed at Extension ?—A. Because I would not go to Ladysmith, I was informed.

Q. That has nothing to do with free speech ?—A. Of course I had said I was not going to live at Ladysmith.

Q. Did you say that ?—A. Yes.

Q. You said that to Mr. Sharpe, did you ?—A. I did not say it previous to being discharged.

Q. He told you you would have to live at Ladysmith ?—A. No, he dismissed me without notice.

Q. Who did you say that to ?—A. I may have said that to many people.

Q. And you knew when you said it that the policy of the mines was that the men should live at Ladysmith and not at Extension ?

By His Lordship :

Q. Were you living at Extension ?—A. I was.

DAVID HALLIDAY, Cumberland, May 28.

By Mr. Rowe :

Q. Where were you boarding ?—A. I was not boarding.

By Mr Bodwell :

Q. And you had said you would not go to Ladysmith ; you told everybody that you would not live at Ladysmith ?—A. I did not know everyone ; I told some whom I knew.

Q. And you had been saying that over a considerable period of time, and were trying to get other people not to go to Ladysmith ?—A. Let everybody act for themselves.

Q. You said no free man would leave Extension and go to Ladysmith—no one who was not a slave?—A. I simply stated that it was any man's right to live in Ladysmith or live there.

Q. And that no man who had any regard for his rights, would submit to that dictation from the management and go to Ladysmith ?—A. I said it was a matter of choice whether I lived at Extension or Ladysmith.

Q. And that it was an act of tyranny and oppression on the part of the management to compel men to go to Ladysmith ?—A. I don't know as to that.

Q. It was words to that effect ?—A. I don't think I stated that.

Q. But the words had that meaning or conveyed that impression ?—A. I would simply state that as long as a man is owner of the mine he can dictate where they shall live.

Q. But you said that no man should have to submit to that dictation ?—A. I said they would have to submit as long as they kept these people in power.

Q. And you subsequently found yourself discharged ?—A. Yes.

Q. Why did you come to Cumberland ?—A. I had to look for employment.

Q. You went to Van Anda ?—A. Certainly.

Q. And came to Cumberland ?—A. I was not long employed; a shift had been laid off and I had to look for work.

Q. And two months after you get to Cumberland there is a strike ?—A. Yes.

Q. And your speech was curtailed ?—A. Certainly; I did not express my opinions in Cumberland.

Q. But the strange result is that there is a strike and a union formed—a singular coincidence ?—A. Yes, a singular coincidence.

Q. Somebody must have been talking ?—A. After the W.F.M. was organized.

Q. Not before ?—A. They were afraid to talk.

Q. You were afraid to talk ?—A. Yes ; I was afraid as long as I had to work here ; I had to live.

Q. And in order to live, you had to curtail some of your rights as a British subject ?—A. Certainly.

Q. Why, having submitted that far, didn't you go one step further, and refrain from joining the union in order to live ?—A. I joined the union because I wished the right of freedom of speech.

Q. You had submitted for, say a year, to the deprivation of that right, in order to live, and then in order to live you joined the union, is that right ? Why did you not in order to live, step out of the union ?—A. In order to better my condition.

Q. In what particular respect did it better your condition ?—A. It would allow me freedom of speech; the freedom of speech is the basis of the whole thing.

Q. You had been willing to do without it ?—A. I had not been willing; I was forced to submit to it.

Q. You knew by refusing to submit to it and joining the union, you knew that the means of living were going to be shut off ?—A. I did not know that at all.

Q. You expected that every man who became prominent in the union was going to lose his job ?—A. I anticipated as much, but I did not know.

Q. Then you did not want to live very badly at Cumberland, did you? You did not think you ought to live at Cumberland?—A. Did not think I ought to live——

Q. Because you were voluntarily giving up your right to live?—A. How?

Q. You knew if you joined the union you were going to lose your job?—A. I did not know exactly; we were forming the union to protect our mutual interests.

Q. And you knew the first result to happen from that step would be that would lose your job, and secondly, your means of livelihood at Cumberland?—A. I was taking my chance on that in order to form an organization to better our conditions.

Q. You are not a philanthropist?—A. No, I am no philanthropist.

Q. You don't believe in the common good?—A. It all depends on what you call a philanthropist.

Q. Now, until your coming the workers were quite satisfied to live without a union. Why did not you let them alone?—A. They were not satisfied.

Q. Can you tell me any grievance they had, except the nominal one about freedom of speech?—A. That is the thing; the most of people like to state their opinion.

Q. And there was such a state of oppression here that they could not state their opinion?—A. Yes.

Q. And in order that they might have that privilege of stating their opinion, you started a union?—A. We started a union.

Q. You disturbed their peaceful relations. The result was plain. You simply formed a union in order to give these men the right of free speech?—A. That is the main object I had in view.

Q. And you did not care whether they starved, and their families starved, while they were accomplishing that object?—A. I wished to see everybody live as well; they are half-starved now.

Q. Are men who make $6 a day half-starved?—A. From $1.50 up; I heard a man state that he made $1.50.

Q. What is the man's name? You had instruction to get the names of all the men who earned small wages and bring them before the Commission?—A. From whom?

Q. From the men who were running this strike—from Mr. Baker?—A. We had instructions from this union.

Q. You had instructions that Mr. Baker said to get all the men who were making small wages—that was Mr. Baker's advice to you?—A. Not that I am aware of.

Q. Well, the fact would be that the only men who will be called here are men who, for some reason or other, have not made over $2 a day; that is the programme, is it?

Mr. RICHARDS.—How does Mr. Bodwell know the programme?

By Mr. Bodwell:

Q. I am asking if that is not the programme; I am asking Mr. Halliday if that is not the programme, and that that programme was not decided on the advice of Mr. Baker?—A. I don't know that it was decided on from advice from Mr. Baker.

Mr. BODWELL.—We are going to save you all the trouble; we are going to put in all the wages of the men, and we will show the average to be $5 a day. We will save you all that bother.

By Mr. Bodwell:

Q. You only worked during March and April, didn't you?—A. February, March, and a little of April, a few days in January.

Q. Who were you working with in February?—A. With my partner, Williamson.

Q. How much did you make in February?—A. Somewhere around $90.

Q. How much a day?—A. Somewhere around $4.

Q. And in March?—A. Between $3.50 and a little over $3.50.

Q. It was $3.90, was it not, for the time you worked in March?—A. It may have been around that.

DAVID HALLIDAY—Cumberland, May 28.

Q. And in April ?—A. Under $3.

Q. $3.10 in April. Did you work full days for the time you were on shift ?—A. Yes.

Q. So that you had no complaint as far as wages were concerned ?—A. Not so far as wages were concerned.

Q. Your only complaint was the one you gave before we adjourned ?—A. I stated that already.

Q. Now, do you say that it was not arranged when you were on that joint executive at Nanaimo, that you should come back here and get up a strike ?—A. No, it was not arranged.

Q. Was it not arranged that you should come back here and make a demand on Mr. Matthews, which you knew he would not grant ? Was that the excuse ?—A. I don't know that it was arranged by any executive committee; it might have been talked over. I don't think it was talked over by the executive.

By His Lordship :

Q. It might not have been talked over, possibly, as an executive, but in your private capacity ?—A. It might have been. That was my private opinion, that we should see about the reinstatement of these men.

By Mr. Bodwell :

Q. And then if they were not reinstated ?—A. Then we should have to take action accordingly.

Q. And that was why Mr. Baker telegraphed to Mr. Moyer to know if that action would be approved by the executive ?—A. I don't know.

Q. You know he telegraphed ?—A. I expect he telegraphed.

Q. And he got an answer back to even organize the Japanese and Chinese if necessary to carry out the plan ?—A. Yes.

Q. When you found you could not organize the Chinese and Japanese, did not your union send to Victoria and get the mining inspector up here, so as to try and put the Chinamen out of underground, if you could, by asking him to enforce the law with reference to Chinamen ?—A. I guess that is so.

Q. Don't you think that is rather hard on the Japanese and Chinese ? In the first place you were going to organize them and put them out on strike; then you were going to have the inspector up ?—A. That was simply a suggestion in the telegram.

Q. Will you swear that no steps were taken by any member of the union, or any one acting in concert with them to endeavour to organize the Japanese ?—A. I will swear there were no steps taken by the Cumberland branch of the W. F. M. I heard of a man being here to organize the Japanese and Chinese.

Q. At any rate, he did not belong to this camp ?—A. No; I was led to understand he came from Vancouver.

Q. Who will be able to tell us about that ? Any one in your organization ?—A. There might be.

Mr. HUTCHINSON.—There was a man named Johns from Vancouver.

By His Lordship :

Q. Was he a Western Federation man ?—A. I could not say.

Mr. HUTCHINSON.—I think he belonged to the Brotherhood.

Mr. BODWELL.—He was connected with them—the United Brotherhood strike in Vancouver ?

Mr. HUTCHINSON.—I could not state.

By Mr. Bodwell :

Q. Do you know Chambers ?—A. Yes, at least I saw him the day we organized here.

DAVID HALLIDAY—Cumberland, May 23.

Q. He came from where ?—A. I did not know anything about him previous to that.

Q. You did not hear anything about him ?—A. No.

Q. Do you know Hendricks; did you know him at Extension ?—A. No, I never saw him until we organized that day.

Q. He was an outsider anyway, was he not ?—A. Yes.

Q. And he was secretary of the meeting the day before the union was organized ?—A. Yes, secretary pro tem.

Q. How do you account for the fact of the men holding permanent positions in the organization being, comparatively speaking, strangers to the camp ?—A. I don't account for the fact, because the fact is not there.

Q. Here is Barber, the president—— A. He is an old-timer.

Q. He had only been here a little while ?—A. He has been here about two years.

Q. And before that time he had been away for five or six years, and Higney—a man who did not belong here—Hendricks, Chambers and yourself. You had only been here a few months ?—A. Yes.

Q. Was it not an organized movement on the part of the socialist party to capture this camp ?—A. No.

Q. It does not look like that to you ?—A. No.

Q. And yet every one of them are socialists ? Are not all the men who hold a permanent position in that organization socialists ?—A. No

Q. You are one ?—A. I am one.

Q. What is Barber ?—A. He is not a socialist.

Q. His ideas are socialistic, are they not ?—A. Not that I know of.

Q. According to your opinion ?—A. No.

Q. Mr. Kingsley was here and held socialistic meetings ?—A. Yes, he held socialist meetings—not socialistic.

Q. What is the difference ?—A. Socialistic means a tendency towards.

Q. He has been holding meetings here last week ?—A. Yes; I was chairman at two of his meetings.

Q. Did you make any speeches yourself ?—A. No, simply acted as chairman at two of his meetings.

Q. What was he doing here ?—A. He was trying to educate the people of Cumberland to an appreciation of their material conditions. He had nothing to do with the strike. It just so happened that he was never here before. He would have been here anyhow.

Q. And they did not convey any information to your mind; you did not draw any inference from them at all ?—A. No.

By Mr. Rowe :

Q I understand you built a house at Extension ?—A. No, I rented a house.

Q. What year did you go there?—A. Two years ago; the summer of 1901, July.

Q. When you asked for employment at this time was it suggested you should live at Ladysmith ?—A. No.

By Mr. Bodwell :

Q. Who employed you ?—A. David Wilson.

Q. You were one of the men brought out from Scotland ?—A. No, I beg your pardon, I came out from Scotland; that is exactly how I came out from Scotland—I paid my fare out.

Q. You came out with the Scotch party ?—A. I did not come with them. Would Mr. Bodwell kindly supply the date that these men came ? I came by no invitation; I came of my personal wish.

By Mr. Rowe :

Q. Was anything said to you at the time you got employment at Extension about where you were to live ?—A. No, nothing was said where I had to live.

DAVID HALLIDAY—Cumberland, May 28.

Q. Was anything said subsequently ?—A. I believe later on there was.

Q. By whom ?—A. The current conversation went that we would have to go to Ladysmith.

Q. None of the bosses said anything to you about it ?—A. No.

Q. How were you laid off there ?—A. I was simply respectfully dismissed, without the option of cleaning up my place, or anything else. The fire boss said, 'Were you not told this morning that this place was to be stopped ?' I said I was told nothing of the kind. He said you can take a day to square it up and timber it up.' On my road home I saw the boss, Mr. Sharpe, and asked him what was the reason my place was being closed, but all he said was that my place was being stopped. I asked him would I be allowed to square out the place. He said 'You can take your tools out.' I said 'Thank you.' That was the kind of dismissal I got.

Q. To what do you attribute that ?—A. I cannot tell exactly; that was the beginning of the enforcement of the people going to Ladysmith. I considered I was the first victim.

By His Lordship :

Q. What date was that ?—A. In the beginning of June, 1902, about a year ago.

By Mr. Rowe :

Q. Would you have gone to Ladysmith to live ?—A. No, I refused to go, so I shifted my duds.

Q. Why ?—A. Because I would not like to travel any fourteen miles in an old box car to work in pit clothes, sometimes damp going home. I considered it would perhaps be a detriment to health, &c.

Q. Had you any sickness in your family when living at Extension ?—A. No.

Q. Any difficulty in getting good water ?—A. No, we had good water where I lived.

Q. Where did you live, which side of the camp ?—A. I lived in the part they call Finnland; where the Finnlanders lived, up from the powder magazines.

By His Lordship :

Q. Did you men at Nanaimo have any negotiations with any member of the U.B.R.E. ?—A. The executive at Nanaimo ?

Q. Yes ?—A. Not that I know of, as a joint executive.

Q. In your private capacity ?—A. No, I never heard of anything.

By Mr. Rowe :

Q. Did you ever hear that the U.B.R.E. said that the Western Federation was going to call out the miners on Vancouver Island ?—A. No, I never heard it.

Q. Did you hear that the president of the U.B.R.E. had made such an announcement ?—A. I never did.

By His Lordship :

Q. Do you know whether there were any communications going between any officers of the Western Federation and the U.B.R.E. ?—A. Not that I know of.

Q. Then Estes is wrong when he stated there was an understanding that the Western Federation would be called on ?—A. I don't know; he might have been right for all I know.

By Mr. Rowe :

Q. Was there any communication to this union in reference to that ?—A. Not that I know of.

DAVID HALLIDAY—Cumberland, May 28.

By His Lordship :

Q. Did you have any talk with Baker about the U.B.R.E. ?—A. Never had much talk with Baker at all.

Q. There is a circular here signed by George Estes, president of the U.B.R.E. Did you ever see this, or a copy of it ?—A. No, I never.

Q. In it he says that the Western Federation of Miners will be asked to stop the mining of coal at Vancouver—— A. I never heard that.

Q. So Estes was speaking without authority when he said that ?—A. I don't know.

Q. Would it surprise you to hear that he did say that ?—A. Not as far as I am concerned.

Q. You knew of no understanding between any U.B.R.E. officer and any officer of the Western Federation of Miners ?—A. No, I am ignorant of it—of any communication.

Q. It is not likely that a labour leader like Estes would make that statement unless he had some ground for it ?—A. I suppose he may have had some ground, or he would not have said it.

By Mr. Rowe :

Q. Do you think the executive of the Western Federation would undertake to call out these men at the instance of another organization ?—A. You mean the executive at Denver? They must have a three-quarters majority vote before they could come out on strike.

Q. Then, if it were said that the executive at Denver had made such an arrangement, it would be contrary to the constitution ?—A. Yes.

Q. And therefore, not likely to be true ?—A. Yes.

By His Lordship :

Q. And the circular says that the Western Federation will be asked to call them out ?—A. They could not call them out unless there was a three-quarters majority vote.

By Mr. Rowe :

Q. Each local lodge has that power ?—A. Yes, absolutely, according to my knowledge of the constitution.

By His Lordship :

Q. Would the local union consider they had a right to come out on strike in sympathy with the U.B.R.E. ?—A. I don't know the opinion of the local on that.

Q. What is your view personally ?—A. I said previously I did not believe in sympathetic strikes.

By Mr. Richards :

Q. If you were here as an agitator, as Mr. Bodwell tried to make out, why did you bring your wife and child here ?—A. Because I did not know of anything of the kind going to turn up.

Q. That shows you did not come up as an agitator ?—A. That is proof against his assertion, surely.

Q. And what you said about the strike, that you did not believe in it; you believed in it under the present circumstances?—A. It could not be avoided.

By His Lordship:

Q. You mean by that, that the men would have to quit the Federation or quit work? —A. It was a case of quit the Federation or not; that was the question at issue.

DAVID HALLIDAY—Cumberland, May 28.

By Mr. Rowe:

Q. You heard a telegram read yesterday from Mr. Moyer to Mr. Baker. That telegram was read at a meeting of the lodge on April 28 or 29?—A. I guess it would be read then.

Q. Had that telegram any effect in determining the action of the lodge in reference to the present strike?—A. I don't think it had any effect.

Q. Then, you consider the present strike in no way sympathetic?—A. In no way sympathetic. It is a strike of the Cumberland miners brought by them between representatives of the Wellington Coal Company.

By His Lordship:

Q. Was there much discussion about Moyer's telegram at that meeting?—A. I don't think there was, or I would have remembered it.

Q. How long was the matter debated?—A. I cannot recall.

By Mr. Rowe:

Q. You said you had a conversation with Joseph Higney?—A. Yes.

Q. In which he urged the advantages of unions?—A. No, he simply pointed out that he was here to investigate the position, and if the men were in favour of forming a union, he would send for Mr. Baker.

Q. Did he indicate that the desire here to form a union was to strengthen the hands of the Ladysmith miners?—A. I don't know; I don't remember his saying anything to me about that.

Q. At the meeting of April 5, was that matter referred to?—A. Not from what I heard myself.

Q. Did you hear, yourself, any reference made to that?—A. I cannot recall hearing any reference.

By His Lordship:

Q. How do you find conditions here generally, compared with Hamilton, Scotland?—A. In Hamilton, Scotland, I could always exercise my freedom of speech.

Q. How are the conditions of living generally—wages?—A. Living is much the same.

By Mr. Rowe:

Q. Could you earn as much money value there?—A. Yes, before I left. Of course, the wages fluctuate with the law of supply and demand.

By His Lordship:

Q. Could the workmen live as well here as they had there?—A. I suppose they live about the same all over. There is no material difference. We may have a difference here, and they may have a difference there, and *vice versa*.

By Mr. Rowe:

Q. How about the surplus earnings of a man here and there?—A. I think they are about the same; the relative wage here is no better than there.

Q. What is the actual wage there?—A. When I left, the actual wage was seven shillings per day, that is, $1.75, but it possesses value there greater than here.

Q. Would you consider $1.75 there had the same purchasing value as $3 here?—A. Certainly, perhaps more.

Q. Was the mine where you worked there unionized?—A. Yes, we were all union men.

Q. Had they any federation outside of England and Scotland?—A. No, it was simply a county union, Lanark county union. It was independent and conducted its own business, but was federated with the British Federation, I understand. All questions of strike were decided by the county union, without outside interference.

By His Lordship:

Q. What was the membership?—A. I could not tell you; I did not investigate the particulars, but it went into thousands.

By Mr. Rowe:

Q. Would you consider that clause in the Western Federation which requires that the executive must approve of any settlement made by the local lodge, as an injurious feature? The constitution requires that any settlement made by the local union with its employers, must have the approval of the central authority before it is binding. Don't you think that disturbs the autonomy of the local union to some extent?—A. Not altogether; I think it is a good clause—to submit it to them.

Q. Don't you think it is an objection on the part of an employer, that he has to deal with a body of men he has nothing to do with?—A. It may be quite enough for him to object to, but that has nothing to do with it.

Q. You don't think it is reasonable?—A. It is reasonable from his standpoint to object.

By His Lordship:

Q. You don't think it is reasonable in an employer to object to the ratification of a settlement in Denver?—A. It is immaterial to me. Mr. Dunsmuir sells the most of his coal in the United States. I don't see why he should not do it in another form.

Q. He does it only so long as the United States permits him to do it. But under your proposition he would have to deal with people in Denver before he could go on with a proposition pending here?

WITNESS.—Before I retire I would like to correct the statement made by Mr. Bodwell. He stated that I came out with a crowd of Scotchmen. I would like you to answer me when that crowd of Scotchmen came out?

Mr. BODWELL.—I asked you, and you said you were not with them.

WITNESS.—Well, it is not the case.

WILLIAM ANTHONY, sworn.

By His Lordship:

Q. What office do you hold in the union?—A. I am one of the executive officers.

Q. How long have you been mining here?—A. About four years.

Q. Were you one of the men laid off?—A. No, sir.

Q. Why did you join the union?—A. For my own benefit.

Q. What benefit do you think you derive from being a union man?—A. Self-protection—one thing.

Q. Self protection against the employer?—A. Self protection for myself.

Q. Against the employer?—A. Certainly.

Q. In what way?—A. In many respects; in the first place we have a little more freedom

Q. Freedom of speech?—A. Yes, freedom of liberty, too.

Q. What was the occasion for forming a union at this time? No trouble about wages, was there?—A. I could not say.

Q Don't know of any particular reason why the union was formed at this time?—A. No.

Q. The last witness has stated that a man came from Ladysmith to find out whether the men wanted a union ?—A. I know nothing about it.

Q. Who asked you to join ?—A. I just came to the meeting to see what was going on.

Q. Had you ever been a member of a union before ?—A. No, sir—I beg your pardon, yes; in a union some years ago, seven years ago.

By Mr. Rowe :

Q. Did you say seven years ago ?—A. Yes.

Q. You have been mining here four years ?—A. Yes.

By His Lordship :

Q. What were you doing here seven years ago ?—A. I was fire boss at the time.

Q. Was that local union started here some years ago ?—A. Yes.

Q. How long did it live ?—A. About seven days.

Q. How was that ?—A. Because the company would not allow it.

Q. Knowing of this, you men who formed a union here knew that you were going to start a struggle with the company ?—A. This time ?

Q. Yes ?—A. Not exactly.

Q. You did not expect that the company would sit down quietly and see a union formed, after all these years ?—A. I believed if everybody was of the same mind as me they would recognize it.

Q. Why ?—A. Because we didn't ask for anything, only what is fair ; and I didn't think, if Mr. Dunsmuir would look at it in the proper way, that he would object to a union, so long as we didn't interfere with his business.

Q. You think a good deal depends on the character of the heads of the union ?—A. Certainly, the way they conduct the union.

Q. Why are you out on strike now ?—A. I want to be recognized as a union; the men want to get these men who have been discriminated against back to their employment.

Q. What, exactly, do you mean by recognition ?—A. To get freedom.

Q. Do you mean by that that an employer must enter into a contract with you as a union ?—A. Oh, no.

Q. You mean you are not to be discharged because you are a member of a union ?—A. Yes, I mean that.

Q. If you want a union recognized, does that mean that the employer has to recognize a committee from the union ?—A. He has not got to, but I think the company could transact the business better through a committee than through one individual.

Q. Do you think an employer has the right to employ a non-union man if he sees fit ?—A. Certainly.

Q. And that the man has the right to work without joining the union ?—A. Yes.

Q. That is, you would accord a non-union man the same rights as you have yourself ?—A. Yes, certainly.

Q. And leave it to his own option whether he would join or not ?—A. Yes.

Q. If the company recognized the union, they would have to recognize a pit committee ?—A. They would not have to unless they wished.

Q. Do you think it is more to your advantage to be a member of the Western Federation than a member of the local union ?—A. Yes, I believe I do.

Q. What are the advantages of belonging to the Western Federation ?—A. More strength, in one sense of the word; the local organization does not amount to anything.

Q. It has not sufficient strength ?—A. Not sufficient strength.

Q. If all the miners in British Columbia were organized, would not that be a sufficiently strong body ?—A. I would be satisfied.

Q. I understand that there is a clause in the constitution of the Western Federation which requires settlements to be approved of by the executive at Denver ?—A. I have not studied much of the constitution myself.

Q. Don't you think that is surrendering a good deal of your liberty to people in Denver ?—A. I have not studied the situation; I am not able to answer that question.

Q. Do you think an employer is unreasonable if he objects to have his contracts revised by people in Denver ?—A. I don't know about that.

Q. Do you approve of a union going into politics ?—A. To a certain extent.

Q. To what extent ?—A. Well, in case of trouble.

Q. Just explain a little more fully ?—A. Suppose we have any grievance between us, and the company won't recognize the committee; supposing the government had power to arbitrate on that question, so as to avoid all these strikes.

Q. You are opposed to strikes ?—A. I am opposed to strikes.

Q. Do you think compulsory arbitration is a good thing ?—A. Yes, so far as I can understand.

Q. How would you appoint the arbitrators ?—A. Elect men into the House certainly.

Q. When you say you think the government should step in to settle strikes, how would they do it—by a board of arbitrators ?—A. A board of arbitrators from the government.

Q. By government officers ?—A. Yes.

Q. Were you at the organization meeting here ?—A. Yes, I was.

Q. Did you hear Baker's address ?—A. Yes, I heard his address.

Q. Can you tell us what he said ?—A. Well, I could say some.

Q. Tell us what you can ?—A. So far as I can remember he said he had come up here for the purpose of organizing a local union here, if possible.

Q. That was the desire of the majority of the men here ?—A. I could not say ; I knew nothing about it until ten o'clock Saturday night previous to the meeting.

Q. Was there much opposition to organization ?—A. I don't know anything at all about it; but I heard there were two men up from Ladysmith, but I did not knew for what purpose.

Q. Was any mention made by him of the U. B. R. E. organization ?—A. Not to my knowledge.

Q. You did not hear that ?—A. No.

Q. It was suggested by Mr. Estes in a circular here that the Western Federation of Miners would be asked to call out——A. I know nothing about it.

Q. Do you think Estes was speaking with no good ground for saying that ?—A. I don't know ; I am not interested in strikes at all ; I don't believe in strikes. Never took part in a strike in my life until this one.

Q. What was the urgency for forming a union at this time ? There was no difficulty about wages ?—A. Well, because we wanted freedom of speech ; freedom of speech, certainly.

Q. Had there been any discussion among the men for some time past ?—A. I never heard a word about it until ten o'clock Saturday previous to the meeting on the 5th of May, I think it was ; I never heard a word about it.

Q. Have you had any assistance from the Western Federation ?—A. No.

Q. Have not asked for any ?—A. I have not.

Q. I mean the union as a union ?—A. I don't think so ; not to my knowledge.

Q. Was the question as to whether you should strike by ballot ?—A. By secret ballot.

Q. What was the majority in favour of striking ?—A. I believe there were about 192 ; I cannot be positive.

Q. How many opposed to it ?—A. I believe it was twelve.

Q. Was the matter discussed for some time before the motion was put ?—A. Yes, quite a while.

Q. It was not done hastily?—A. No, I guess they discussed it for nearly two hours.

Q. I suppose there have been a number of men leave the camp since?—A. I believe there has been quite a few.

Q. Could you tell us how many?—A. No, I could not.

By Mr. Rowe:

Q. You say that you believe in a man's right to refuse to join a union if he wishes. Do you think it right to blacklist men who don't join?—A. No, certainly not.

Q. You don't approve of printing a blacklist?—A. No; I had a good dose of that myself.

Q. How was that?—A. With this company; I was blacklisted by this company—not a union.

Q. Were you cut out of employment?—A. I was.

Q. On what account?—A. For organizing a union here.

Q. How long were you out of work?—A. We organized a union here seven years ago. So that at that time I was elected secretary of that union, and the first notice—I was instructed to put up a notice to call a special meeting to appoint committees for this union. This notice called for a meeting Saturday night. On the following Monday, when I was at my work, the boss came and told me to take out my tools. I asked him what was wrong. He said he did not know, that I had better go and see Mr. Little. So I went out. I went to the office and saw Mr. Little and told him that the boss had told me to take out my tools, and asked him what was the trouble. Mr. Little said he understood I had joined the union. I said, yes. Well, he said, so long as you have joined the union you can't get any employment with this company. This company has made up their minds not to recognize any union, and as long as your name is on that roll book, you cannot get any employment with this company. So I had to go out of the camp and leave my family here. I could get no work anywhere. I tried in Nanaimo. I had to leave this side to go to the American side against my will. When I went to the American side I travelled there about six weeks. I happened to get work on the other side, and so soon as they learned I was victimized under this company they forced me out of that. They put me where I made $1, where I was making $3.75 previous to this trouble. At that time my family was over here, and I had to live in an old butcher store, without windows, in the dead of the winter, and that is the way I was back and forth with one company and another for three and a half months. After I would get work in one company, as soon as they found out why I left work here, they would either discharge me, or put me some place where I could make no money.

Q. Have you any reason to think that the company blacklisted you with these other companies?—A. I have.

Q. What reason?—A. I was working in a stall in Carbonado, and making $3.95 a day. The boss came to me one day and said, I'm going to stop this stall; he came in to me, and told me he was going to stop that chute. All right, I said, where is my next place? He said, you can go down to the slope, you can go down there. I was batching at the same time with a man who was working in this place, and I knew exactly what kind of work it was, and I did not care much for going there anyhow. He said there was no more work unless I went to that place, so I had to take it. As soon as I took my tools out, in two days after I started that place there was another man put in my chute, and that chute was driven right up to the surface.

Q. When did you come back here?—A. Three years ago.

Q. You have seen notices put up on the company's buildings that if a man wants work he can get it under contract—have you seen this notice?—A. I saw one at the company's office.

Q. Did you make any inquiry?—A. No.

Q. You say there was considerable discussion about the proposal to strike at the meeting?—A. Yes.

Q. What were the arguments used in favour of striking ?—A. I could not exactly say.

Q. What did you hear said. Do you remember anything said in favour of the strike ?—A. Well, the only grounds I can remember—there was a committee sent to Mr. Small to ask him if he would accept a list to replace these men in their turn, and when they fetched back the result that he would not accept, it was put to the meeting what we were going to do with it, and I believe somebody made a motion that if he would not accept, that we go out to protect these men.

Q. Was it said you could get the approval of the central authority at Denver ?—I could not say.

Q. Were you told you would get financial assistance ?—A. I don't know.

By Mr. Bodwell :

Q. What wages were you getting in February ?—A. I don't kick about the wages.

Q. Is this right—$4.25 a day ?—A. I guess so.

Q. Were you making $4 a day in March ?—A. I don't kick at all against the wages.

Q. That is right, $4 a day in March, and $4 in April ?—A. I am satisfied with the wages.

Q. You gave up $4 a day for the sake of this strike. Don't you think you were rather foolish to give up $4 a day for the sake of this strike ?—A. No. Because I might be working next month for $2.

Q. Why do you think you might be working next month for $2 ?—A. Because my place might be deficient.

Q. Do you know of anybody working for less than $3 a day. Had it not been the practice to make their places pay $3 ?—A. In some cases.

Q. Had you any reasonable expectation that you would have to work for less than $3 a day in these mines ?—A. Yes, I have worked for less than $3.

Q. What has been your average. You have been back here about three years ?—A. I guess about $3.25.

Q. How do you average it ?—A. About that.

Q. How do you account for making less than $3 ?—A. Yes, and I worked two years for $3, that is the standard wage.

Q. How do you account for making so much more these last few months ? Were you in a good place ?—A. Yes, I would not have made the money.

Q. Was it so much better than other places ? Have you not had good places ?—A. I have no kick on the wages.

Q. If you had thought you were being used by means of this union to help the socialistic party in the next election, would you have joined the union if you thought that was the game that was being put on ? Suppose you thought the socialistic party in Nanaimo were coming here to organize this Western Federation, so as to help them in the next election, would you have joined the union ?—A. No.

Q. Why didn't you find out whether that was so ? Didn't you see all these Nanaimo men here working up the union ?—A. That was a surprise to me.

Q. Didn't you hear what Mr. Halliday said this morning, or were you here ?—A. I was here.

Q. Was that not rather a surprise to you ?—A. Yes, it was rather a surprise.

Q. Do you think the men here would have gone into that union if you had known what was going on ?—A. I don't know that I would have gone in.

Q. You didn't think you were being used to help a few ambitious socialists in this country ?—A. No, I didn't think that.

Q. And this strike coming on, and all these people out of work, that is not a very good idea ?—A. Well, I don't know.

Q. There are a lot of men in the camp who didn't know ?—A. I could not say. There might be.

Q. And of course when they got you in, then the rest of the men had to come in after the union was started ?—A. Well, I don't know.

Q. Were you at the meeting on Sunday, April 5 ?—A. Yes.

Q. Didn't you hear Mr. Reed try to make that motion that you should not join the union ?—A. I believe he did make a motion.

Q. Didn't you hear Mr. Baker say anything when that motion was made ? You know Mr. Baker ?—A. I have seen him.

Q. Didn't you hear him say something when that motion was made ?—A. No, I could not say exactly what he said; I was not interested at the time.

Q. You say you think a man should not be deprived of work because he doesn't belong to a union. Didn't you know at No. 7 the hoisters and engineers did not go into this union ?—A. I could not say.

Q. The hoisters and engineers would not strike—you did not know that ?—A. I did not know.

Q. Do you know that your executive sent a committee out to Mr. Priest, in charge of that work there, and told him if he did not dismiss these hoisters and engineers that none of the rest of the men would work ?—A. I am not one of the executive committee, and I don't know about it.

Q. So you thought it was better to join the Federation because it was stronger and would give you strength ?—A. Yes.

CUMBERLAND, May 28, 1903.

GEORGE RICHARDS, sworn.

By His Lordship :

Q. You are secretary of the local union ?—A. Yes, sir.

Q. Have you been secretary since the commencement of the organization ?—A. Yes, I was, except for the time I was away for two weeks.

Q. How long have you been in this camp ?—A. About a year and six months.

Q. And before that ?—A. I was at Extension a while; I lived most of the time at Wellington.

Q. How long were you employed in the Wellington Colliery Company altogether ?—A. About twelve years.

Q. Tell us shortly what led up to the formation of this union ?—A. Prior to this—how it was organized ?

Q. Yes, who promoted the organization ?—A. I guess Baker was the organizer who organized it.

Q. Who invited Baker to come here ?—A. I did not take any active part prior to this, so I could not say who it was sent him up.

Q. Do you know Higney of Ladysmith ?—A. I have seen him: that is about all.

Q. Ever have a conversation with him about forming a union ?—A. No, I did not.

Q. When Baker came here did you see him before the organization meeting ?—A. I saw him, but I never spoke to him.

Q. Who was Baker doing business with most of the time before the organization ?—A. I could not say who it was.

Q. You were present at the organization meeting ?—A. Yes.

Q. Higney was chairman ?—A. Yes.

Q. Did Higney give a speech ?—A. He said something, but he seemed to have an impediment in his speech, so that I could not understand; I could not tell what he said, in fact.

Q. Could you tell us how long he talked ?—A. It was very short indeed.

Q. Did you hear Baker's address ?—A. Yes.

Q. What did he talk about ?—A. He said something about organization. The main thing in his speech was that he came up to organize, if the men at Union wished it, he was ready to organize.

Q. Did Baker explain anything about the nature of the Federation ?—A. Well, I can hardly say what he said; I cannot recall what he said.

Q. Would not the men be naturally anxious to know what kind of organization they were joining ?—A. I think the Federation was known around here; it seems to be known.

Q. Did Baker say anything about the U.B.R.E. strike in his address ?—A. No.

Q. Did he tell you anything about what was going on in Ladysmith ?—A. I don't recall Baker saying anything about Ladysmith.

Q. Did he say that the Denver executive had approved of the men joining. Did he read any communication, or say there was any communication from the Denver executive ?—A. No, he did not read any.

Q. The men knew that this would likely provoke a struggle with the company when they organized ?—A. Previous occasions had shown that, but there was every chance of them changing their minds.

Q. But no attempt was made to find out what their position was ?—A. No, I could not say that they did make any attempt.

By Mr. Rowe :

Q. This was after the strike at Ladysmith had begun ?—A. The organization here ? Yes.

Q. Would that prove that the company was still of the same mind ?—A. It might have in that district, but it might not here.

By His Lordship :

Q. Did you have any conversation with Baker after the organization ?—A. I spoke a few words with him.

Q. About the Ladysmith strike ?—A. No.

Q. Would that not be a very natural subject of conversation ?—A. No, I was more interested in my immediate surroundings here.

Q. It must have been obvious to your men that the men at Ladysmith had been locked out on account of the Federation. Didn't it occur to you that the same trouble would take place with you ?—A. Yes, but I never discussed it with Baker.

Q. I should think that would be a very live subject of discussion as to what was going to happen. What did you talk about to Baker ?—A. I spoke about the organization; that was what I was talking about.

Q. How many men belong to the Federation here now ?—A. Two hundred and ninety-three (293).

Q. How many men are there in the camp—white men. Tell us as nearly as you can ? Who are not members ?—A. I could not say ; there are some men here since we have opened ; I could not say.

Q. Are there 100 men in the camp—whites ?—A. No.

Q. Fifty ?—A. I could not say what the company have ; I have not been across the line to see.

Q. What was the reason of forming the union at the present time ?—A. I suppose it was the best opportunity they would have.

Q. The men thought this was the best opportunity ?—A. I myself should think so ; the Western Federation is a strong organization, and it would be a good chance to join.

Q. Why was this the best time ?—A. I suppose Baker happened to be around this part of the country, and took the chance.

GEORGE RICHARDS—Cumberland, May 28.

Q. You mean around this part of the country because he happened to be at Ladysmith ?—A. It might appeal to the men that it would be a good chance when he was in this district.

Q. Does it require an active organizer to form a union ?—A. Yes.

Q. Did Baker promise any assistance from the Federation ?—A. No, but the constitution provides for it ; I could not exactly say whether he made anything of that or not.

Q. You have seen that telegram from Moyer to Baker ?—A. Yes.

Q. What would you say about that ?—A. I think it was merely some information to Mr. Baker in his capacity as organizer. He is a member of the executive board of the Federation, so that is all it is.

Q. The telegram says, in effect, that the Denver executive would approve of the Cumberland men going out in order to win at Ladysmith ?—A. Well, I guess that is just information to Mr. Baker.

Q. Did you see the telegram that Baker sent ?—A. No.

Q. You were not at Nanaimo at that time ?—A. No.

Q. Do you approve of sympathetic strikes ?—A. There may be occasions arise for it ; I could not exactly say. It is a pretty wide question.

Q. You knew the position of the Western Federation with regard to socialism before you joined ?—A. I had not heard that they had positively given their support ; I had not exactly heard that. There were remarks that they were on that line.

Q. Did you know that they favoured political action ?—A. Well, I had not been in the union before myself, so I could not say ; they might have favoured it.

Q. What was your idea in joining the union ?—A. It would give me a chance to vent my thoughts and feelings and hear others on the same subjects.

Q. What do you understand by striking for recognition ?—A. Well, allowing us the privilege of having a union here.

Q. Does that involve the necessity of the employer entering into a contract with the union ?—A. It would involve recognition of the union, its members and all.

Q. Does that involve the union contract ?—A. That would be left between them afterwards. If he would recognize the existence of the union, afterwards he could make contracts with them. We are not requiring it at that time ; we merely required the right to exist as a union ; the other matters would follow. That would embrace all questions, I should think.

Q. If an employer recognizes the union, is it not necessary for him to have a union contract ?—A. Occasions may arise when it would be necessary.

Q. Would he have to recognize a pit committee ?—A. Some unions, as far as I have heard, do not have pit committees, and others do. That might be left with the union.

Q. Has an employer the right to employ non-union men ?—A. To the detriment of a union man ?

Q. Yes ; has he a right to exercise his discretion as to whether he will have union or non-union men ?—A. Yes, I suppose so.

Q. Had there been much discussion in the camp before Baker was sent over as to whether it was desirable to form a union ?—A. I heard quite a lot of discussion about here.

Q. How long back ?—A. I could not exactly state when it was. They were talking union or Western Federation of Miners ; I heard it discussed sort of quietly.

Q. Have you got any correspondence between you and Mr. Baker with reference to that ?—A. Yes, I have two or three letters here. It is pertaining to this one question of strike? Is it necessary to have them all?

Q. You might just let me have them and I will see what is necessary; you might hand them to Mr. King.

(Correspondence handed in. Exhibit 15.)

GEORGE RICHARDS—Cumberland, May 28.

By Mr. King :

Q. This includes everything that has passed between you and Mr. Baker and any officials or members at Nanaimo and Ladysmith ?—A. Yes, that is all.

By His Lordship :

Q. Where are the copies of the letters you wrote to Mr. Baker ?—A. I never wrote any to him.

Q. Are there any in your possession as secretary ?—A. I have not written any letters to Baker since I came here.

Q. Have you any correspondence between yourself and the Ladysmith men and the Nanaimo men ?—A. No, I have not written to Ladysmith, except this last one ; I have written inquiring about the Commission.

Q. There is one thing in which Mr. Baker is right—that the Federation is on trial? —A. Yes.

Q. And the best thing the Western Federation can do is to help the Commission discover all the facts ?—A. I have nothing, because Mr. Baker left here; he wrote he was on the way. I have not written to Mr. Baker since.

Q. Have you any copies of any telegrams passing between your union and any other Western Federation union ?—A. I had that one at Ladysmith about the rejection of Dunsmuir's offer.

Q. Any to Mr. Baker ?—A. No, I have not written any to Baker.

Q. Or in your possession as secretary, written by any other secretary or officer of the union ?—A. I have just the matter of sending bills or something like that; simple matters.

Q. Where is the correspondence conducted by Mr. Higney ?—A. I never had that. I took it up after we organized.

Q. Didn't you have any correspondence ?—A. I had no correspondence left to me as secretary from Higney.

Q. You have no other telegrams besides the ones produced yesterday ?—A. No, I had one from Baker just to say he would be up, and I destroyed it. These letters are apologizing for not coming.

Mr. HALLIDAY.—I suppose that you are the members of the Commission. Mr. Bodwell was permitted to read that telegram, and I understand that he is not a member of the Commission, so I would like to make a request——

HIS LORDSHIP.—You people are labouring under a misapprehension. This Commission has been instructed by royal authority to discover all the facts relating to the strike, and the Commission would utterly fail in doing its duty if it left any stone unturned. We don't care whom the facts hurt; it is our duty to find out the facts relating to the strike, and the correspondence of the union must be brought forth.

Mr. HALLIDAY.—The point at issue is, we don't mind the Commission investigating it, but it is the company's counsel——

HIS LORDSHIP.—The company have a perfect right to find out what is going on, and you have a perfect right to do the same. We have ordered the company to produce all correspondence. I expect Mr. Bodwell has it here and will produce it. We are determined to get at the facts; that is what we are here for, and the sooner it is understood the better.

Q. You say these are all the documents in your possesssion ?—A. There was very little business transacted; I think that is all; I have no letter press copies of these, and I would like to have copies of them.

HIS LORDSHIP.—If you want copies of these, of course you can have them. We will have copies made and handed to you.

GEORGE RICHARDS—Cumberland, May 28.

Q. I notice there is no correspondence in the list relating to the joint meeting at Nanaimo—no telegrams or letters ?—A. No, I never had any that I know of.

Q. Of course, you understand that telegrams could be got at in the office ?—A. Well, you see I was away at the time, and I did not have any handed to me.

Q. There is no other officer who would have them ?—A. Mr. Halliday took my position for the time being; I don't know of anything being handed over to me.

Mr. HALLIDAY.—I have nothing; I handed over everything to the secretary.

Mr. KING.—All of the correspondence in this part is from May 11 to May 14. There is nothing in that.

By His Lordship :

Q. There must be some correspondence after that ?—A. No, I didn't have any correspondence with Ladysmith at all; I cannot recollect having any on file from Ladysmith.

Mr. ROWE.—It seems to me the position ought to be clearly understood. Action is taken because of the disturbed industrial conditions to examine into these strikes. They were ordered by the various unions, and the government wants to know why these strikes were, why they were permitted, what were the causes that lay at the bottom of them, and the assumption is that the unions' action were taken for good reasons which would justify their course, and everything that will throw light on their purpose will do good to the cause they represent, so long as those reasons were good ones, and the asking of the documents is simply to arrive at a correct conclusion in this regard. We did not assume that these documents contained anything injurious, but rather that they would justify their position.

WITNESS.—I have no reluctance to produce the documents. The fact is, we had very little correspondence. Baker stayed here a while and then he went away; I did not have any correspondence with him.

By His Lordship :

Q. Did you get any correspondence from any other officer, turned over to you ?—A. I had some ; they were mostly by-laws from different unions.

Q. No, but correspondence ?—A. There was correspondence with them, sending their by-laws. I have those. Every union was to send their by-laws here for us to draft by-laws from. That is all the correspondence I had with them.

Mr. HALLIDAY.—I may say that I received that correspondence, and they were all congratulatory letters and nothing else ; inclosing copies of the by-laws of the different organizations.

HIS LORDSHIP.—It cannot be too well understood that unionism is on its trial. Mr. Baker never said truer words in his life, than that the right of the Western Federation to exist in this country is on trial. If the public get it into their heads that the Western Federation is moving in a secret way, and by devious means, to accomplish their purposes, the Western Federation of Miners will be like chaff before the wind, and it is incumbent on the officers of that organization to bring forth all the means by which it seeks to accomplish its ends, and to justify its relation to these strikes. The whole matter will be dealt with by public opinion anyway and it is up to the Western Federation of Miners to satisfy public opinion that their methods are what they should be.

What occurs to us, as rather curious, is that there is very little correspondence about this joint executive board at Nanaimo. Now, that joint committee at Nanaimo never met without some correspondence either with Cumberland or Ladysmith ?

WITNESS.—I was not here at the time it was effected ; I was away myself.

GEORGE RICHARDS—Cumberland, May 28.

By Mr. Rowe :

Q. You left the files of the lodge ?—A. Yes, these are the files ; that is all the correspondence between Baker pertaining to the strike.

By Mr. King :

Q. No letters from Mr. Shenton ?—A. Yes, I have one from him, but that has no bearing.

His Lordship.—Just pass up what you have. We will see whether there is anything worth while.

Mr. Halliday.—I think there was a letter, a request to send a delegation to Nanaimo to hold a joint meeting and consider the situation at Ladysmith.

Mr. King.—Who was the letter from ?

Mr. Halliday.—Parker Williams, recording secretary.

By Mr. Rowe :

Q. Have you a copy of your own by-laws ?—A. We have not printed any. That is the reason these other organizations sent their by-laws to us, to pick out the best we could. I have had numerous correspondence in that way.

His Lordship.—I think it would be the best plan for the secretary of the Commission to go through the documents with you yourself, and see just what is necessary in his judgment for the Commission.

Witness.—Yes, I agree with that.

His Lordship.—Have you any documents or correspondence, Mr. Bodwell ?

Mr. Bodwell.—I will bring it forth when I put in my first witness. I will reserve my right to cross-examine this witness ; I may not have to examine him at all ; I don't want to take up the time.

By His Lordship :

Q. Is there anything you would like the Commission to know ?—A. I might find something to tell you while you are here.

By Mr. Rowe :

Q. Would your union have struck, do you think, if Mr. Matthews had granted the request of the committee ?—A. No, I don't think so.

Q. Would the union have struck if they had not suspected that the men were being discriminated against ?—A. No, that is what was struck for, unless something came up. The situation was all standing on that.

Q. Do you know whether there is a deputy organizer of the Western Federation in this district ?—A. No, I don't know of any.

Q. Does the constitution require that an organizer shall be present to give the oath ?—A. Or a member of the executive.

Q. The executive at Denver ?—A. That is as I read the constitution.

Q. Where is that ?—A. Article 3, section 11—'Each member of the executive board shall act as an organizer in his district, and he shall also be required to make such investigation relative to the condition of each local union in his district as in his judgment may be necessary, and make a report thereof to the president of the Federation on or before the 10th day of April in each year. In case of trouble arising in the jurisdiction of a union, the member of that district shall be summoned and given full charge in the direction of negotiations until the arrival of the president, who shall be summoned, if necessary'——

Q. You infer from that that only the organizer can administer the oath ?—A. That is as far as I understand it.

HIS LORDSHIP.—Do you wish to cross-examine, Mr. Bodwell ?

Mr. BODWELL.—I don't know; as far as it stands now, I would not cross-examine.

HIS LORDSHIP.—You can come back again, Mr. Richards, if necessary.

JOHN HUTCHINSON, sworn.

By Mr. Rowe :

Q. You are a miner ?—A. Yes.

Q. How long have you been here ?—A. I came here about four years the 16th of last January, but I have been away in the interval. I think I went away two years ago last April, and came back a year ago last January again.

Q. So you have been here a year last January ?—A. Yes, the last time.

Q. In the employ of the company off and on for four years ?—A. Yes.

Q. Where were you working in the interval ?—A. I did not work very much. I did a little work in Washington and Wyoming.

Q. What wages did you get in Washington ?—A. I was working there in a certain shift where the regular rate is $3 a day; that it what I got.

Q. In Wyoming ?—A. I worked a little in a coal mine; I made about $4 a day.

Q. Are you an officer of the present union ?—A. Yes, I am on the executive board.

Q. When was the first that you heard of a proposal to form a union here ?—A. The first I heard of the proposal was when the notice was stuck up, but I had heard it discussed before.

Q. Was there a pretty general desire for a union ?—A. As far as I could gather.

Q. The first you saw was the notice of the meeting of April 5 ?—A. Yes.

Q. Did you attend that meeting ?—A. I did.

Q. You heard the addresses delivered there ?—A. Yes.

Q. What were the arguments used in favour of the union ?—A. I can't exactly state; I don't exactly remember the words said.

Q. A general statement of the case ? Was the Ladysmith situation referred to ?—A. No, I don't think it was referred to much.

Q. Was it at all ?—A. I cannot say.

Q. You heard Mr. Baker's speech ?—A. Yes.

Q. Did he describe the purpose of the Federation ?—A. I could not be positive. He must have satisfied us as to his intentions, but I could not be positive as to what he said.

Q. How many men do you think were present at that meeting ?—A. I would estimate it to be about 160; something like that at the first.

Q. Was the motion put when the meeting numbered 160 ?—A. Well, I don't know about it being put; it was made.

Q. It is alleged there was one point of the meeting when a number left the hall ?—A. Yes.

Q. Was that before or after the motion was put to the meeting ?—A. I could not exactly say; it is a fact that a number did leave.

Q. Was there anything said suggesting that they should leave the hall ?—A. No more than that, those not wishing to organize were requested to leave the hall.

Q. How many would you estimate did leave the hall at that time—a considerable number ?—A. No, I think there was about twenty.

Q. Do you know what the real number of the members was that night they organized ?—A. I don't know positively, but I have heard that it was somewhere about 147 ; I have heard that.

Q. Did you approve of forming the union ?—A. I did.

Q. Why?—A. Because I thought it would strengthen my position in society.

Q. In reference to what ?—A. In reference to everything. I had an idea that I would not be unjustly oppressed, and thought that in joining this union it would help me along a little. Where I was being oppressed as an individual, I would not be in a union.

Q. Have you ever felt that you have been oppressed ?—A. I believe I have, and do now.

Q. In what respect ? With reference to your wages ?—A. In reference to the prevailing conditions.

Q. Would it have reference to the conditions here specially, as compared with other places ?—A. Not exactly that ; in reference to conditions on the whole.

Q. Outside of Cumberland, as well as inside ?—A. As a whole.

Q. Your relationship to the union as a coal miner, and also as a citizen desiring the improvement of your class ?—A. Yes, I suppose so. I am a British subject.

Q. Your allegiance is to that first—A. Yes.

Q. You know the political doctrines of the Western Federation ?—A. Well, I have a slight idea ; I could not say I know them in their fulness ; I approve of them as far as I know of them.

Q. You approve of the political purpose of the Western Federation, if it can be said to have one ?—A. I do.

Q. In joining the union were you influenced in your selection of the union by the fact that it had political aims ?—A. No, I was not. I don't think I thought about it at that time ; I was just joining the union.

Q. Did you feel there were any grievances here ?—A. Well, I suppose that some of the brethren had grievances.

Q. Did you feel personally that you had not ?—A. Not in regard to the employment I had at the time. I did feel that it might be possible I would have a grievance in that respect. Consequently that is one great reason I had in joining the union.

Q. You think it enables a man to provide for his future ?—A. Yes, that is what I think.

Q. You say you are a member of the executive. Were you laid off ?—A. Yes, I was. It was on Saturday, I don't know whether it was the 18th of April or not. Probably Mr. Matthews can tell you. Yes, it was the 18th April.

Q. To what do you attribute the fact that you were laid off ?—A. To being an officer of the union.

Q. Why ?—A. Well, of course, there were certain reasons why I thought that. In the first place, I did not think that my place ought to have been finished at the time it was. I think there was a little more work in it than that. I may be wrong in that, but I think so. Another reason is that it has been the custom, when the laid a man off, to put him on if there is another place for him. It so happened there were two men working in the next stall, and the next stall but one, and the day I went for my tools I found they had finished the place, and one had started to cross-cut in my stall, and another had a cross-cut marked off a little lower down in the same stall. So from that I concluded I was discharged.

Q. Were these men who had work provided, were they union men ?—A. Yes.

Q. Officers of the union ?—A. No.

Q. How do you account for the fact that William Anthony was not laid off?—A. I don't know anything about that at all ; I didn't account for that.

Q. Do you approve of the affiliation of this union with an international union ?—A. I do.

Q. Why ?—A. Because, in my opinion, it adds strength to the cause.

Q. Is that strength due to the international part of it, or the fact of its numbers ?—A. The fact of its numbers.

Q. If the same numbers were available in Canada, would you approve of the organization ?—A. If there were the same number in Canada, there would be the same number elsewhere, and consequently double the strength than would be possible in one country.

Q. You would have internationalism at all times ?—A. Yes.

Q. Would not an affiliation, rather than being members of the organization itself, answer the purpose as well ?—A. Well, I don't know about that; I never studied it out very much in that light. I think it is very good the way it is.

Q. Do you approve of that part of the constitution which requires that the executive shall review a contract made between the local union and an employer ?—A. I believe that the constitution reads that each local can fix its own standard of wages.

Q. The constitution reads as follows : 'Any contract or agreement entered into between the members of any local union and their employers as a final settlement of any difficulty or trouble that may occur between them shall not be considered valid or binding until the same shall have the approval of the executive board of the Western Federation of Miners.'—A. Yes, I approve of it.

Q. Would you, if you were an employer ?—A. I would not believe in the doctrines I do if I were an employer.

Q. We were not talking about ideal conditions; we were talking about the condition of things as they are ?—A. I beg your pardon, I understand.

Q. I wanted to know whether you thought it was a reasonable objection on the part of the employer ?—A. In my opinion, they are obliged to do this—the employers.

Q. Whether they like it or not ?

By His Lordship :

Q. That is one of the reasons alleged by employers to crush out the union ?—A. That is to his interests to do so.

Q. That is one of the reasons; that the executive at Denver assume to say whether or not the settlement shall be a good settlement; an employer in this country has to submit his grievances with these men to foreign authority in Denver. Now, the question is for the public and parliament to say whether that objection is a good objection or not, because action will be taken one way or the other in all probability on that.

By Mr. Rowe :

Q. This might illustrate the situation: this local union might enter into an arrangement with the Wellington Collieries Company satisfactory to the local union, giving the right wages and conditions of employment, and unless that was approved of by the central authority the local union could be expelled, their charter suspended, or any other punishment that the central authority might administer, unless they reviewed that contract ?—A. If that is the case, it should suit the employer.

Q. Would it suit the men then ?—A. It would have to, I suppose.

Q. Of course, I am simply trying to get your view, whether you thought that clause was fair or not ?—A. I have not thought much about it.

His Lordship.—There is the position—that the Canadian employer is obliged to submit his grievances to people living in Denver, and out of the reach of the law of this country. Is that a reasonable objection for an employer to raise ?

Mr. Richards.—One member of the executive is in British Columbia.

His Lordship.—But the constitution says the executive at Denver.

Mr. Richards.—There may be more on the Canadian side.

His Lordship.—The headquarters would be on the American side.

Mr. Richards.—They might ballot to come to British Columbia for that matter

Mr. Rowe.—We know that the headquarters might change.

His Lordship.—It is not altogether likely.

JOHN HUTCHINSON—Cumberland, May 28.

Mr. RICHARDS.—Do you think it would satisfy employers should they hold their convention in Canada. Would it satisfy that part of it ?

HIS LORDSHIP.—They might hold a convention here one year in ten. The point is that the men who settle the figures between employer and employed are away beyond the reach of our law and our courts. That is the difficulty the employer raises. We would like to hear what answer the union have to make.

Mr. RICHARDS.—They hold that an employer goes into international trusts—he might belong to a company. Could we get at them ?

HIS LORDSHIP.—There is no doubt about that. Parliament may have to see about that, too. But you cannot say on your own account what shall be done; you have to get the approval of the Denver people.

WITNESS.—I think you will find if he settles with a local union of the Western Federation that it will come very near how it is agreed to be.

By His Lordship :

Q. What is the object of that clause in the constitution then ?—A. Does it say 'approve' or 'review'?

Mr. ROWE.—'It shall not be considered valid or binding'—Article 5, section 2.

Mr. RICHARDS.—They might be doing something unconstitutional ; therefore it would be submitted to the executive to see if that were so.

HIS LORDSHIP.—The point is an employer say he cannot get a binding settlement until some people in Denver say he can. They are outside the authority of this government.

Mr. ROWE.—There would be an objection to having an outside authority anyway, even in the same country—outside of the organization which the men entered.

Mr. RICHARDS.—Would it not be the same as we have it here, in the case of a legal decision. If a man doesn't like it he can take it to England, to the Privy Council, and they will declare it ultra vires ? This should not be so.

HIS LORDSHIP.—But the point is it involves the freedom of the contract.

Mr. RICHARDS.—We might be making that contrary to the constitution.

HIS LORDSHIP.—Then you have to go to Denver to find out. The employer says, I don't want anything to do with men outside this country which prohibits me from making contracts with men in this country. The question is, who has the right.

By Mr. Rowe :

Q. Did you attend the joint executive meeting at Nanaimo ?—A. Yes.

Q. What was the purpose of that meeting ?—A. To devise ways and means to assist Ladysmith.

Q. Anything else ?—A. No.

Q. What questions were discussed there ?—A. The financial part of the business was discussed.

Q. Anything else ?—A. No, I don't think there was.

Q. Did you see a telegram from Mr. Moyer to Mr. Baker ?—A. Yes, I did.

Q. When did you see it ?—A. I believe Mr. Baker showed it to me the day of the meeting.

Q. Was it in reply to a telegram sent by Mr. Baker ?—A. It must have been, I suppose.

Q. Do you know anything about the contents of the telegram to which that was a reply ?—A. No.

Q. What comment was made by Mr. Baker when he showed you the telegram ?—A. I could not say.

Q. Who brought the telegram to Cumberland ?—A. I suppose the president ; I don't know; it was not there myself.

Q. The telegram was read at a subsequent meeting of the union here ?—A. I think so.

Q. You heard it read ?—A. I don't know, I forget.

Q. Did that telegram influence the action of the local union in reference to this strike ?—A. No.

Q. It was not intended to do so ?—A. I don't think so. I can safely say it did not, as far as I was concerned.

Q. Why do you think the telegram was sent here ? Why was it not left at Nanaimo ?—A. I could not say.

Q. You could not suggest what the purpose was in sending it here ?—A. No.

Q. It might have been because it had a meaning to either Nanaimo or Cumberland ?—A. It might have ; I don't know.

Q. To help win the fight at Ladysmith what would be necessary ? Would the calling out of the men at Nanaimo help Ladysmith ?—A. I don't know.

Q. You would not think it would ?—A. No, I hardly think so.

Q. Did you think a strike at Cumberland would help the cause at Ladysmith ?—A. I must not have thought that, because I was not in favour of sympathetic strike.

Q. You are not ?—A. Not in this case.

Q. The suggestion is this : here is a telegram which says the Western Federation proposes calling out all men necessary to help win the Ladysmith strike. That telegram is sent to the one place where such a call would have that effect. The inference suggested might be that it was sent here for the purpose of prompting such action on the part of this local union ?—A. It might have been, but I don't think it, so far as I am personally concerned.

By His Lordship :

Q. Are there any officers still in the employ of the company, outside of Mr. Anthony ?—A. I could not say, Your Worship.

Q. Do you know of any, Mr. Richards?

Mr. RICHARDS.—There was Anthony and myself.

HIS LORDSHIP.—Are there any of the officers employed at present that were not laid off ?

Mr. RICHARDS.—Anthony and myself; that is all I recollect.

HIS LORDSHIP.—Out of how many ?

Mr. RICHARDS.—Nine of an executive.

HIS LORDSHIP.—Only two out of nine that have not been laid off, is that right ?

Mr. RICHARDS.—The executive board is composed of nine, three officers.

HIS LORDSHIP.—How many were laid off out of the nine ?

Mr. RICHARDS.—All except two.

Mr. HALLIDAY.—Mr. Richards here was away about two weeks. I was out of the employ of the company, and I was requested to go in his place, but I did not have that opportunity, so that if Mr. Richards had worked any time before the strike he would have been laid off too. He refused the right for anybody to go in his place.

HIS LORDSHIP.—You are still at work, Mr. Richards ?

Mr. RICHARDS.—No, I was called away suddenly.

HIS LORDSHIP.—They had not begun to operate on you ?

Mr. RICHARDS.—No.

HIS LORDSHIP.—Practically Anthony was the only man left ?

Mr. RICHARDS.—That is all, I think, who was left.

HIS LORDSHIP.—I understand that the contention of the union was that they went out because their officers were being weeded out ?—A. That is the contention exactly.

Mr. RICHARDS.—Then others were trustees, and it amounted to about fourteen members altogether.

HIS LORDSHIP.—What about them ?

Mr. RICHARDS.—There were four left on. It was a gradual process.

By Mr. Bodwell :

Q. You say you were not in favour of sympathetic strikes. When was a sympathetic strike discussed ?—A. I never said it was discussed.

Q. You said it could not be so, because you were not in favour of sympathetic strikes ?—A. I never said it was discussed.

Q. Was not the question of a sympathetic strike with Ladysmith discussed here at all ?—A. Not as far as I am concerned.

Q. You did not hear it discussed ?—A. Not to my knowledge.

Q. If it was discussed at all you never heard of it ? Did you know of it being discussed ?—A. It is possible for a man to have an opinion without discussing it.

Q. The matter was not discussed in Cumberland at all ?—A. As far as I am concerned, I don't know that it was discussed.

Q. Do you know whether that question, outside of any conversation with you personally, do you know whether the question of sympathetic strike was discussed ?—A. Not to my knowledge; I cannot recall anything like that.

Q. How did you come to form an opinion on the subject if it did not come up ?—A. Quite easily. Did you never form an opinion without discussing it ?

Q. What was it led you to think about a sympathetic strike here if there was no discussion at all ?—A. Well, the natural trend of circumstances.

Q. What was there to bring about that thought in your mind, if there was any thought ?—A. I cannot tell you.

Q. You cannot account for the fact that you formed that opinion ?—A. I know I formed the opinion.

Q. What was Mr. Shenton talking about when he came here ?—A. I don't know that he talked about much, except matters pertaining to the thing at that time; they were on strike when he came up here.

Q. Didn't you talk to Mr. Shenton when in Nanaimo ?—A. Not much.

Q. Didn't you talk about having a strike in Nanaimo to Mr. Shenton ?—A. I could not say I mentioned the word strike, but I believe I said we could not go along much longer without taking some action.

Q. Without any reference whatever to the situation at Extension ?—A. No reference whatever.

Q. Mr. Baker, just at that time, sent a telegram to Moyer and gets an answer back to do everything to win at Ladysmith. How do you account for this subject of Ladysmith not being discussed by anybody ?—A. It is no business of mine to account for it.

Q. Here is the situation: you and Halliday and somebody else go down to Nanaimo, in response to a request to have a joint executive meeting there, and while you were there of course you discussed things. Just at that particular time Mr. Baker sends a telegram, and he gets an answer that shows there must have been something in the telegram about this place—'We will approve of anything which will assist to win the fight at Ladysmith.' How do you account for that ? Could you give me any reason why that answer should have been sent unless Baker said something about Ladysmith ?—A. I am not Mr. Baker; I don't want to give any reason.

Q. 'We approve of calling out all men necessary to win at Ladysmith.' Where was the calling out to be which was going to help win at Ladysmith ? Where was the calling out to be ?—A. Well, I don't suppose there were many places it could be. There were only two camps on the Island besides Ladysmith.

Q. Could that refer to any place except calling out Cumberland ?—A. I don't suppose it could.

Q. That is in answer to a telegram from Mr. Baker, of course ?—A. It must have been.

Q. Can you say that nobody at that joint executive meeting proposed the calling out of Cumberland in order to assist Ladysmith ?—A. I can say, so far as my knowledge goes, that nobody proposed that.

Q. You did not hear Mr. Baker speak of it to anybody ?—A. No.

Q. Nor Mr. Shenton ?—A. No.

Q. No word out of the executive ?—A. I cannot recall anything.

Q. Could you forget it if it had been ?—A. It might be possible. I don't say that I would try; it is possible to forget anything.

Q. What Nanaimo men were at the joint executive ?—A. Mr. Shenton, Mr. Neaves and Mr. Holt.

Q. What Ladysmith men ?—A. Mr. Pritchard and Mr. Jeffries.

Q. And Jeffries, you say, never, during that whole meeting, suggested a sympathetic strike at Cumberland ?—A. I say not to my knowledge.

Q. Were you there ?—A. Yes.

Q. What did you do ?—A. You know what we did in the previous evidence. We decided to assist—Nanaimo and Cumberland—to aid Ladysmith financially; that is all we did.

Q. That is all you talked about ?—A. Practically speaking.

Q. What was the other part ?—A. That was about all we talked about, I think.

Q. You want this Commission to think that you nine or eight men met with this situation as it is, and that the question of whether the men at Cumberland should come out was not discussed, or not even mentioned ?—A. As far as my knowledge goes in recalling the various facts, I don't recall anything of the kind.

Q. You have been here about a year, or did you say two years this last time ?—A. I came here a year ago last January.

Q. Are you a member of the socialist party, so-called, at Nanaimo ?—A. Yes, I am a member, but I may say that I have only been a member since this strike.

Q. You were in sympathy with them before the strike ?—A. Yes, but I had never been amongst them.

Q. Have you had any communication from any member of that party ?—A. No.

Q. Mr. Shenton, for instance ?—A. No.

Q. You were not working in connection with them before that time ?—A. Not at all.

Q. How do you account for these men from Nanaimo appearing on the scene shortly before this strike ? Did you know they were here ?—A. No, I did not.

Q. Did you know anybody was here, working up the question of organization at Cumberland ?—A. No, but I knew that Baker was going to come.

Q. Then this matter was sprung suddenly on the men at Cumberland, you among the rest ?—A. Well, the matter of organizing or entering into a union was not exactly sudden to me; I was always prepared to enter into a union.

Q. I mean the question of forming this socialistic organization at Cumberland was sprung suddenly on the men, you among the rest ?—A. The question of forming the Western Federation at Cumberland was sprung a little suddenly probably on me, but as I said before, the thing had been discussed.

Q. The Western Federation had been discussed ?—A. Yes.

Q. Who discussed it ?—A. I believe it was discussed before these men came in. Action had been taken in Ladysmith in connection with the matter; people see what was in the papers.

Q. If you had known that the principal idea of getting the Western Federation here at this time was to help the political aspirations of the socialists' party in Nana-

imo, would you have approved of it ?—A. It would have been the more incentment to me to join it.

Q. And you think it is the real reason of the agitation ?—A. No, I don't know whether that is one of the reasons.

Q. Do you think the men who went into that union, as a whole, understand that situation ?—A. I think they understood that they were joining a union.

Q. Did you think they were being practically drawn into a political club for the benefit of a few ambitious parties ?—A. I think in regard to joining a union to protect their rights they could not join a better union.

Q. I am asking you if it was explained to the men generally when that meeting was called on Sunday, or before, that instead of joining a union for the protection of their rights, they were practically being made members of a party caucus—a party club ?—A. I understood they were joining a union to protect their rights.

Q. You think it was the best thing they could have done ?—A. Yes.

Q. You are one of the men who insist on the right of free opinion and free speech ?—A. Yes.

Q. Why didn't you, then, before you entrapped the men into this organization, give them an opportunity to look into these things ?—A. There is no trap about it.

Q. Then it was fully explained to the men that on the ground of being asked to join the union they were made members of a party club ?—A. I cannot answer that; I know as far as I am concerned, that I was joining something to help me.

Q. You think the socialists represent the best interests of the working-people ?—A. They represent the people—the working-people.

Q. Then I am right in saying that, according to your idea they represent the thought of the working-people ?—A. Yes.

Q. Are these men in Cumberland satisfied that you and Mr. Halliday, and a few others, should do their thinking for them ?—A. You had better ask them.

Q. Are they satisfied ?—A. I will go around to-morrow and ask each individual. You know very well I can't answer that question.

Q. Well, from your conversation here, you think these men are satisfied that you and Halliday and two or three others should form their opinions, and lead them wherever you go ?—A. I think they would be very foolish to follow anybody.

Q. That being so, you had to put up a game on them ?—A. No, we didn't put up any game at all.

Q. You have been doing pretty well ?—A. Yes.

Q. In February you made about $4.50 a day ?—A. Yes, I guess so: I am a pretty good man, you know.

Q. I think you are, and a very good witness, too. Then in March you made about $3.90 ?—A That is about right.

Q. Now, don't you think it is a kind of foolish thing for a good man like you, who can make that kind of money, to get out on strike for the benefit of the Nanaimo socialists ?—A. I don't think that is a correct way to put the question. I think it is a wise thing for me to go out on strike for what I have done—for the reinstatement of the men who have been discriminated against, and the recognition of the Western Federation of Miners.

Q. These men knew, and you all knew, that the policy of this company was not to have unions. You knew you had no real cause of complaint, and that when you formed the union you must have expected to be discharged. You knew that was against their policy. You call out for free speech and free thought, but you intended that the company should go your way ?—A. I think we had just as much right to form a union as the company had to disallow one.

Q. What wrong was done you if the company did not choose to employ you without the union ?—A. They denied me the privilege of earning a living.

Q You could earn a living where this socialist party is ?—A. I don't know

Q. You knew the policy of this company was not to have a union ?—A. Yes, and I knew it was wrong.

Q. But have they not a right to their own opinion ?—A. Yes.

Q. And you were going to force them to your opinion ?—A. Yes, I suppose so, in regard to forming a union.

Q. How do you reconcile your position in that regard ? You call for free speech and free thought, and yet you start out by forcing the company to adopt your opinions ? —A. I think that any question at issue to-day ought to be settled by the majority, and I think that the working-people are in the majority.

Mr. RICHARDS.—I would like Mr. Bodwell to show some of these wages statements ; there are many men whose figures will not show as high as some he quotes.

HIS LORDSHIP.—I don't see that the wage question is raised at all. The question is as to the right to form this union. I don't think that the time of the Commission should be wasted on wage questions, if there is no question raised about them. Look at the list, and if you think it is incorrect, you can say so.

Rev. L. W. HALL, sworn.

By His Lordship :

Q. You are a missionary here, Mr. Hall ?—A. Yes.

Q. Do you know a man named T. J. Shenton, of Nanaimo ?—A. Yes, I am acquainted with him slightly.

Q. When did you see him here last ?—A. I have forgotten just when it was, perhaps eight or ten days ago ; I have forgotten the date.

Q. You had a conversation with him ?—A. Yes.

Q. With reference to the organization of Chinese and Japanese, was it not ?—A. I had a private conversation with him about some matters that I consider altogether private, that could have no bearing on this question here just now——

Q. There is nothing private from this Commission. You might as well understand that, and everybody else within the sound of my voice. All the facts relating to these troubles have to be divulged.—A. Well, it seems to me, as I have read, and heard your statement with regard to the business of the Commission here, that anything that might have been said to me privately as a missionary would not have any bearing at all as far as affecting you in regard to the matter in hand.

Q. You are largely mistaken in that.—A. It seems to me that I am the best judge.

HIS LORDSHIP.—No, you are not. Did you have any conversation about organizing the Japanese and Chinese ?

WITNESS.—I am still of that opinion. If you can give me anything under the law that I am compelled to give my confidence to you, I am prepared to do it. State me the statute.

HIS LORDSHIP.—There is no doubt, Mr. Hall, that this Commission has all the powers of a court of record, and in consequence of refusal to answer questions, the Commissioners, if they think it necessary, have the same power as the courts, with respect to any person so refusing. Now, did you have a conversation with Mr. Shenton ?

WITNESS.—Still—if I had counsel here—perhaps then I would be able—it is a matter altogether—as a missionary, I think——

His Lordship.—I may tell you, Mr. Hall, that no clergyman or minister has any privilege at all in a court of law ; that anything said to a clergyman or priest is not regarded by the law as a privileged communication in any sense whatever.

Witness.—Does that fall to the Commission also, your Honour ?

His Lordship.—Yes, as I told you, this Commission has all the powers of a court of record. If you wish to see counsel we will give you until to-morrow morning, on undertaking to appear here at 10.30 ?

Witness.—I would like to have that.

Albert H. Peacey, sworn.

By His Lordship :

Q. You are a telegraph operator here ?—A. Yes.

Q. To what company do you belong ?—A. The Dominion Government service.

Q. You have been subpœnaed to produce any documents in your possession relating to any of these strikes ?—A. Yes, sir.

Q. Have you got them ?—A. Yes, sir. Might I ask one question ? Will you undertake that I am not prejudiced by so doing ?

Q. You have to do it, Mr. Peacey, when you are subpœnaed. We understand that all officers object to disclosing these things. When you are subpœnaed, that is the end of it.

(Telegrams put in as Exhibit 16.)

Q. Does the correspondence produce all you have in your possession ?—A. Those are copies, I have the originals.

Q. You have kept nothing back ?—A. Nothing back.

Mr. Bodwell.—The company's telegrams are not there; there are in the office being translated.

By Mr. Richards :

Q. How is the telegraph office reached ? Have the company a distinct line ?—A. The company take their own messages and I manage the checks; I could take them. They practically go through, but the company have their operator and do their own work. I am agent and do their checking.

By Mr. Rowe :

Q. You retain copies of all messages in the through office down town ?—A. Yes.

By Mr. Richards :

Q. Will you have copies of the company's telegrams produced ?—A. Yes.

By His Lordship :

Q. These are true copies of the telegrams ?—A. Yes, those are true copies.

Cumberland, May 29, 1903.

Rev. L. W. Hall, recalled.

By His Lordship :

Q. The Commission was asking you yesterday about a conversation with Mr. Shenton. Can you tell us what that was ?—A. It is not very pleasant for me, but I suppose I will have to.

Q. If you wish to give the evidence in private the Commission will do that ?—A. Without counsel for Mr. Dunsmuir ?

Q. Both sides are entitled to be present.—A. Well, in that case, I don't see that it will affect the matter.

Q. We regret very much to force any one to give evidence, but that is our duty. Will you tell us what it was ?—A. Our talk was rather extended, something like two hours, and therefore it would be——

Q. Just give us the conversation about the organization of the Japanese and Chinese ?—A. Well, Mr. Shenton, he came here and we had a talk about the town, and then he told me that he had been, at the request of Mr. Baker and the executive of the Nanaimo union—that they requested him to act for him in his capacity as organizer, and also to transact some business that he had up here in town.

Q. What I understand is that he should be sent here in the capacity of organizer ?—A. Yes, to represent Mr. Baker, as he was engaged at Ladysmith.

Q. What was the date ?—A. I cannot give the date. I have not got——

Q. Well, about when—ten days ago ?—A. It might be two or three weeks.

Q. That he should be sent in Baker's place ?—A. Yes, and he said that he called on me to discuss conditions at present growing out of the strike, and the previous conditions which led up to it. He said he had learned that I was in sympathy with the men, and he asked if I would go before this Commission, and I did not reply immediately.

Q. He asked if you would go ?—A. Yes, before this Commission. Of course we discussed the previous conditions and the present conditions, which led up to the strike, and he asked me my opinion with regard to the relation of the men—my opinion with regard to the relation of the men towards the Chinese, and the possibility of pointing a way to lift up the Chinese to a higher level than they had previously been in the province—particularly here in Union, from the standpoint of labour. You simply want what he said to me, not what I said to him ?

Q. We want both sides of the conversation ?—A. Well, I told him one could only judge by the past, and how labour here, and in other parts of British Columbia where I have been, had viewed the Chinese. My standpoint was altogether from a missionary standpoint, and also I tried, and would endeavour to do the very best I could to uplift them, and that I had come to the conclusion as far as the government was concerned, that they could not look to it for help from them, and as far as my experience went that the company in this particular town, was that we might not look for social betterment, or betterment of conditions from them, and the past history of the men was likewise the same—that they violated, to my opinion, both the company and the men—the men less than the company—violated the rights of the Chinese according to their own idea of labour. I thought from my study of the union organizations, both in England and America and here that the groundwork was, that regardless of colour or creed, no matter what a man might be, they should give him, as long as he might be a producer, the title of labourer, and give him, if they were true men, the going equivalent in a given place, whatever that might be for the amount he worked upon. Then I cited the conditions here—that as a matter of fact, a Chinaman—a skilled Chinaman—would go into the mines, and would do the work which, according to the scale of wages in British Columbia and other places, is considered to be worth $3, or may be $3.50, and he would be paid from $1.25, $1.50 and $1.75, and I asked him, how about the balance. Well, he said, he acknowledged in the past that labour had not treated the Chinese as they should, but now they were learning, and had learned that they must, if they hoped to uplift themselves—they had to uplift the Chinese also. I told him I was willing to use my best endeavours to bring about an end of that kind.

Mr. Richards.—Mr. Shenton came here in the place of Mr. Baker, you say ? Your Lordship, I would like to question the witness——

His Lordship.—Make a note on this point and then examine afterwards.

Q. You suggested then to Shenton the advisability of organizing the Chinese ?—A. No.

Q. Did he suggest to you the organization ?—A. The conversation led up to the ways and means, and the tenor of the conversation, as I remember it, led up to the question of the best way to meet the present conditions.

Q. When you say, the best way of meeting the present conditions what do you mean ?—A. I mean this : the conditions that have prevailed here in the last nine years with regard to Chinese, and with regard to the effects—the far-reaching effects to both church, coroners' juries, the law and general treatment of the Chinese—the repressive atmosphere that has existed and does exist, and even now exists in this town with regard to the present management of the mines. I have not come here willingly, and this conversation—we discussed it from christian social standpoint, and I feel that some of the managers and others are my friends, and it is hard for me to give this testimony. I don't want to be misleading upon it, but this thing has borne on my mind, and has worked so much detriment to all concerned, that I think that viewing this as the highest tribunal to-day, that they should know my view, as it effects me and the men, both white and Chinese, should be brought out. The answer to the question you gave me—you asked me just now—was the outcome of how to meet those conditions. He asked me my opinion of the strike, of the Federation, my opinion of the union being organized here, and he asked my opinion in regard to the strike. I gave him my thought. Of course I told him that I thought unionism was simply an expedient, and a poor expedient too.

Q. Why a poor expedient ?—A. Because, in the nature of unionism it is only one step towards—you take my point—is this—that if capital and unionism get together, it eventually—they will, unless some other condition arises, we will have two masters in place of one, and that is my thought. Therefore, I think, it is inexpedient, but the best expedient to relieve present conditions in this place and in Ladysmith.

Q. Your idea was that the Chinese and Japanese should be organized, in order to raise them to the same condition as the whites ?—A. That is my thought—that they could be.

Q. You communicated that idea to Mr. Shenton ?—A. Eventually I communicated that idea to him. Of course, it all grew out of that thought.

Q. Did you take any steps in pursuance of that idea, towards organizing the Chinese and Japanese ?—A. No. The Japanese were not under consideration.

Q. How was that ?—A. For this reason : that the Chinese as they are now, without any guarantee from the federated union, or any other union, it would be a suicidal policy, and I could be no friend of the Chinese to ask them, under the present conditions, without guarantees from the federated union, that it would be possible for me to act conscientiously along a line of that kind.

Q. Did Mr. Shenton say that there would be any such guarantee given ?—A. He suggested that he thought that the Federated executive at Colorado—I think it is—would be willing to make a guarantee, and I told him that whenever proper guarantees were made and given that I would do all in my power, that I would do all in my power to help along the union—not active organization work—but I would use my influence, and do all I could, to uplift the Chinese, and lift the onus against the Chinese in this province as being altogether out of the pale of either pity or accommodation, the odium that rests in the eyes of most of the labour men in this country.

Q. Did you suggest what the nature of the guarantee should be—how it should be furnished ?—A. No.

Q. Did he ?—A. He could give no decisive answer with regard to the matter, but he felt certain that guarantees could be given, but he would have to see Mr. Baker first.

Q. How many Chinese are there here ?—A. Roughly speaking, between 900 and 1,100, counting everybody, storekeepers and all combined.

Q. You are a missionary for the Chinese—you have nothing to do with the Japs ?—A. Yes. I have nothing to do with the Japanese.

Rev. L. W. HALL—Cumberland, May 29.

Q. You were not interested in the Japs in this matter ?—A. Of course, I am interested in all men.

Q. You did not include the Japs in this ?—A. No. Of course, my influence would not reach in their direction.

Q. Did you understand from Shenton that the executive of the Western Federation at Denver would approve of the idea of organizing the Chinese ?—A. Yes.

Q. And you said you would do all you could in that direction ?—A. Yes, I thought I would conditionally, of course——

By Mr. Rowe :

Q. Your idea was it would improve the condition of the Chinese and help the cause of the workmen ?—A. Yes.

Q. And not do any damage to any other interests ?—A. Yes, and not only that, but to the whole community. My thought is that this thing—we have heard so much about federation being an evil in its consequences, and so far as my experience goes, not with this particular Federation, but with others—that it has been the contrary. I have had nine or ten years' experience of the evil effects—I have been at coroners' juries where men have been killed, where it was impossible to get freedom of speech. I have seen it at elections—in so many different phases of social life and of church life, and all forms. It has become really pregnant with all that an American or an Englishman dislikes——

Q. You mean that men on coroners' juries do not give evidence because of the fear of results ?—A. I mean in one case that came under my observation, where an inspector neglected to do his duty. It was brought out as clear as could be that the man was killed—he was a Chinaman—and the outcome was simply——. If you want me to go into that case—has it a bearing on this ?

By His Lordship :

Q. I don't think there is any particular idea in going into that, but you gather from all this that Chinamen are considered more as beasts than men ?—A. Yes.

Q. And you think the scope of unionism should embrace a man irrespective of creed or colour ?—A. Yes.

Q. And therefore you were not willing to have the Chinamen go into this Federation ?—A. No.

Q. Did you discuss the manner in which that could be best carried out ?—A. No, we didn't go into that. I have forgotten now whether we did adopt that ground or not.

Q. Was it suggested by either of you that the best way would be to have a separate union for the Chinese ?—A. It was suggested to me that if—I think it was suggested that they have a separate union.

Q. With a separate charter from the Western Federation ?—A. No, it was suggested that they should be organized themselves, and that they would come in for all the privileges that the federated union gives to all its members.

Q. They were to be a separate lodge of the Western Federation ?—A. I believe he suggested something to that effect.

Q. I suppose it would be unreasonable to suppose that whites would want to associate with Chinamen in the same lodge ?—A. I don't suppose they would.

Q. Had you many discussions with Shenton about this ?—A. We just had one talk. We thrashed the thing out. I, myself, after we opened up on the subject, I had grave doubts with regard to—I had no doubt about his good faith, but I had doubt with regard to the good faith—of the ultimate working out in British Columbia. Therefore, we had some discussion on that, until we got to the question of guarantees, and I thought if sufficient guarantees were given and were admitted under the constitution, I had no doubt at all in my mind that once they were admitted that they would keep their word—that they would carry out all their promises made to the

Chinamen, but in the beginning, when he gave me what information he could to an outsider——

Q. You mean they would be admitted to the full privileges of unionism ?—A. Yes.

Q. The consequence of that would be that the Chinamen would get the same wages as the whites ?—A. Yes, the same wages.

By Mr. Bodwell :

Q. How long have you been here, Mr. Hall ?—A. About nine years.

Q. How long have you known Mr. Shenton ?—A. I met him but once.

Q. How long ago ?—A. About two or three weeks ago.

Q. Never saw him before ?—A. No.

Q. How long have you known of him as an active labour organizer ?—A. I know of him more in the capacity of a local preacher.

Q. How long have you known of him in that capacity ?—A. Not long.

Q. He is a local preacher of the Methodist Church ?—A. I believe so.

Q. Have you ever known him to take an active interest in organizing Chinamen before the present strike ?—A. No.

Q. Ever had any reason to suppose that he was considering any practical method for uplifting the Chinese before this missionary visit to Cumberland ?—A. No.

Q. Didn't it strike you as a singular coincidence that he should come here at this particular time on that particular mission ?—A. No.

Q. Did he say anything as to the benefit it would be to the union in this fight to have the Japanese and Chinese organized ?—A. Yes.

Q. What did he say about that ?—A. He said it would not only in this, but in the other—that it would make it more sure and more certain to relieve all the conditions that existed, as he saw them.

Q. Didn't he say, and didn't you gather that his primary object at this time was to get further assistance in the present strike in favour of the labour union ?—A. I gathered merely this; that he had learned that he was reaping what he had sown, in the way they had treated the Chinese, and therefore coming to that point where, though he might not have have had any sympathy before or any interest, that I saw distinctly that—and I see now, that they might not hope to succeed without making their weakest point their strongest.

Q. That is all theoretical, Mr. Hall; I am trying to have a practical application. I hold a telegram from Mr. Moyer to Mr. Baker, dated April 24. That was not very far away from the time of your conversation ?—A. I have forgotten the date.

Q. That telegram says, 'We approve of calling out any or all men necessary to win at Ladysmith. Organize Chinese and Japanese, if possible.' Now, Mr. Shenton told you he had come here as a representative of Mr. Baker ?—A. Yes.

Q. For the purpose of endeavouring to effect organization with the Chinese ?—A. No, he did not say. He said he came up representing Mr. Baker.

Q. And the subject of his conversation with you was the organization of the Chinese. He came here as the representative of Mr. Baker ?—A. Yes.

Q. And the first business he spoke of was the organization of the Chinese ?—A. No.

Q. In what order did that business come up ?—A. In this way: the first order, that he came here primarily to prepare the way for getting some persons to go before this Commission to give their view with regard to present conditions here.

Q. That was the first thing he said ?—A. No, the first thing he said was your previous question you asked me, saying he came as the representative of Mr. Baker.

Q. Didn't he request your assistance in getting evidence before the Commission ?—A. Not getting, giving evidence.

Q. He wanted you to give evidence yourself ?—A. Yes, on the general conditions that have prevailed in this town.

Q. With respect to Chinamen ?—A. With respect to all conditions.

Q. With respect to labour matters generally ?—A. Yes.

Q. You declined to do that ?—A. I waived it ; I did not decline.

Q. The next order of business was the organization of Chinese ?—A. It was simply talk ; it was not a question of business.

Q. You stated he came here and told you he was the representative of Mr. Baker ? —A. Yes.

Q. Then to assist you in getting evidence before the Commission ; then the next question of discussion was the case of organization of some Chinese, and you understood him as well to be the representative of Mr. Baker when speaking on that subject —that is right, is it not ? He was representing Mr. Baker and the Western Federation of Miners—was that not the way you understood it ?—A. There is duplication there. He did not absolutely say that he was acting——

Q. His credentials to you were, he came here as Mr. Baker's representative, because Baker could not come ?—A. Yes.

Q. Did you have any reason to believe from the tenor of his conversation that he ceased to be the representative of Mr. Baker when he talked about the organization of the Chinese ?—A. From the tenor of our talk, I would think, in fact, I knew, that he had no authority to act on the subject.

Q. That he had no authority to give you guarantees ?—A. Yes.

Q. But that he had authority to discuss the ways and means ?—A. Probably.

Q. You were holding a confidential talk ?—A. Yes.

Q. Didn't he tell you in some form of words that the organization of the Chinese would help to win at Ladysmith; just as Mr. Moyer tells Mr. Baker in the telegram ? —A. No, he did not. He told me that unionism could not hope to win eventually unless the Chinese were——

Q. That is true enough, but those are generalities. You and Mr. Shenton were talking as practical men with a practical end in view. Do you mean to say that there was nothing in the conversation about that ?—A. That is where we differ ; our talk was along the line of theory.

Q. With the idea of organizing the Chinese at Cumberland ?—A. Yes.

Q. Didn't you talk about the strike at Ladysmith ?—A. No.

Q. You didn't refer to the fact that the strike at Cumberland would assist the strike at Ladysmith ?—A. No.

Q. And that the organization of Chinese would assist the strike at Cumberland ? —A. No, I am not sure that he put it in those words.

By His Lordship :

Q. Did he say, if we organize the Chinese we will likely win the fight ?—A. No, I think not, but the inference would be that.

By Mr. Bodwell :

Q. Didn't you understand from the whole of that conversation that Mr. Shenton came to organize these Chinese, in order to win that strike if possible ?—A. No, how could I understand that ? The man would have to speak Chinese and know the customs of Chinese to state the question.

Q. Did not you understand from the whole conversation that Mr. Shenton's object in coming here was the organization of the Chinese, if possible, and in that way to win the fight at Cumberland ?—A. No, I don't think he had that thought. He could not have been in a position——

Q. I see you are taking issue with me because I used the word organization. Didn't you infer from the whole of the conversation that Shenton's object in coming here was to take steps to organize all the Chinamen in order to win the strike at Cumberland ?—A. Well, I don't——

By His Lordship :

Q. You would scarcely ask anyone to believe that Shenton's object in coming up here to get these Chinamen organized was not for the purpose of winning the strike ?—A. I have not yet said that he came here for that purpose.

By Mr. Bodwell :

Q. From the tenor of the conversation did you honestly believe that that was his principal object ?—A. I really think that his principal object was to prepare the way for the Commission. That is my thought.

Q. We will leave that part out of the question. I ask you if you did not infer from his conversation and the surrounding circumstances that his idea was to procure organization of the Chinese in order to assist this strike ?—A. Suppose you change that word 'procure.'

Q. Put it any way you like, Mr. Hall, I won't quarrel about the words.—A. It is like this with me. I don't know what was in the man's mind, and really I don't know.

Q. I want your honest conviction as to what that conversation was about. I want you to tell me, if you think, after talking with him a couple of hours on the lines you did, that his object was not to take steps towards procuring the organization of the Chinese for the purpose of assisting this strike ?—A. I would infer that he wished to break ground, but to take any active steps that is beyond me to say. How can I answer that ?

Q. Because he told you that he could not give you any guarantees on behalf of the Federation ?—A. No, because that is practically impossible; one reason is the bar of the language and the customs.

Q. I am not talking about complete organization; I am talking about steps to get them into an organization that would assist the strike. Don't you think that is why he came, or one of the principal reasons; in other words, to carry out the instructions in this telegram. Reading this telegram now, in the light of that two hours' conversation with Shenton, have you any doubt but that he came here partly, at any rate, to carry out the instructions in that telegram from President Moyer ?—A. You ask me to pass judgment on the state of mind that man had when he came here.

Q. I am asking you to give your opinion on his state of mind from the conversation which he held with you ?—A. It seems to me that any man in the hall might answer that question as well as myself, if he belongs to that organization, and if he had a telegram to that effect, why the natural inference would be that being an officer of the union and having at heart the interests of the men, that he would do all he possibly could.

Q. Would not his conversation with you justify the statement that he came here in pursuance of the instructions contained in that telegram, to carry out the purposes stated in the telegram ?—A. Well, does my opinion—is my opinion necessary ?

Mr. RICHARDS.—Does he need to answer that question ?

By His Lordship :

Q. The point of the thing is this: did Mr. Shenton come up out of any friendly regard for the Chinese, or to carry out the instructions of the telegram ?—A. I cannot say.

Q. The point is, did Mr. Shenton come up here out of friendly regard for the Chinese or simply to help out this strike ?—A. My reading of that man is that he has learned his lessson, and that with him it is a question of evolution, and that he has come to the conclusion that it is for his best interests and the best interests of his order to do what he can to place the Chinese on a higher level than they are at present.

Q. It is rather singular that he should select a time for doing that when there are two strikes on ?—A. To my mind, it would be this : that when the men found that this previous policy had been wrong, and whenever he is willing to do the right thing, whether in strike time or peace time, that is the time to do it.

By Mr. Rowe :

Q. You think the condition of war has revealed to him the mistaken position he had formerly taken ?—A. I do. It is getting to be the general consensus of opinion that they have been working along the wrong line.

By Mr. Bodwell :

Q. And that means if the Chinese and Japanese were organized they were going to win ?—A. I would not add that.

Q. Do you think they are inspired with any more affection for the Chinamen than they ever had ?—A. I don't think they are particularly inspired with any more affection, but I think they have learned, as all men learn along these lines, that they cannot continue in the same——

Q. Your idea is that they have got to consider the Chinese properly or they cannot win themselves ?—A. Yes.

Q. How do you account for the fact that having failed to organize the Chinese here, they have now got the inspector here, trying to put them out of the mine altogether, on the theory that they are actuated by this good feeling for the Chinamen ? Don't you know that the inspector is here now at the request of this labour union, trying to put the Chinese underground out of the mine—don't you know that ?—A. No.

Q. Seeking to find cause for enforcing the law which says no men who cannot speak English shall work in the mines ?—A. I don't know.

Q. Supposing that a fact, that Shenton was here for the purpose of uplifting the Chinese, how do you account for the fact that the same people are trying to put the Chinese out of the mines altogether ?—A. You see you start with an hypothesis——

Q. That is an actual fact. You can assume that the inspector is here now at the request of this same labour union, seeking cause for enforcing the law as to people working underground who cannot speak English, and that he is going among the Chinese for that purpose, and that the result of his action would be to put the Chinese out of work altogether. I ask you now, on the further assumption that Mr. Shenton's visit here was for the purpose of uplifting the Chinamen—I ask you on what theory you reconcile these two positions ?—A. Would you think that any theory I might advance would be relevant to questions of opinion ?

Q. If you say you don't want to answer the question, I will take that for an answer ?—A. It might take me about two hours.

Q. Supposing Mr. Shenton came here then with instructions to organize the Chinamen, and suppose he could not organize them, and that the purpose of organizing them was to put them out of work in order to help the strike, would you infer as a reasonable man that having failed on that line—having failed to get the Chinamen out on strike—they were trying to put them out under the statute ?—A. You see you start with the assumption that they had commenced to organize the Chinese. You tell me they failed in one case, and now they have taken the other.

Q. They failed because you would not help them unless they gave certain guarantees, and Mr. Shenton was not in a position to give guarantees ?—A. There was no action taken.

Q. I am assuming ?—A. Well, don't you see—you are assuming again.

Q. I see one thing, and that is that you don't wish to answer the question and I won't take any more time on that line.

By Mr. Richards :

Q. You have been here quite a long while, Mr. Hall ?—A. Yes, a number of years.

Q. You have the conditions here down pretty fine—the conditions of the workmen ?—A. Well, I have tried. It did not require a great deal of study.

Q. The facts were open to you ?—A. Yes.

Q. Would you gather from the facts here that it would be necessary for the people to unite to be able to tell their grievances to one another ?—A. From my experience here I cannot see that there could be any other way.

Q. No other way out of the difficulty ?—A. Yes.

Q. Referring to the Chinamen : do you mean that all labour should be on the same footing as wage earners—you mean that labour has recognized the time when all workmen should be classed together ?—A. That is what I have inferred from the men in the past whom I have talked with, and also from Mr. Shenton.

Q. Do you think such a time will come—to change present conditions ?—A. I am willing if there is any other way besides unionism to reach this end—I am willing to accept it, but as far as I can see there is no other.

Q. Mr. Shenton did not talk about the Ladysmith strike at all here ?—A. No, he did not.

Q. Or that the Chinamen would help here ? He spoke something about that, if they organized ?—A. The inference would be something along the line of helping them. There would be no reason for them being organized if it were not for mutual help.

Q. Did Mr. Shenton tell you whether his credentials were sufficient to take Baker's place or not ?—A. He saw me before he went to the union—before he met you people.

Q. Did he say he was acting for this union ?—A. No. He said that Mr. Baker had asked the executive of the Nanaimo union to request him to take his place at Union while the Commission was going on.

Q. And the conversation he had with you would not be from information he got from this union ?—A. No. It would seem to me that he came and saw me shortly after he arrived.

Q. I might state to you that his credentials were not sufficient to be accepted in Mr. Baker's place for this union, and that anything he did could not be done in connection with this union.

By His Lordship :

Q. How many conversations did you have with Shenton altogether ?—A. One.

Q. Was that the interview when the Chinese question was discussed ?—A. It was the same time.

Q. Did Shenton say anything as to the feeling among the white men about the organization of the Chinese ?—A. He told me in substance what I said before, Judge; that the men felt now that the time had come when they would have to change their position towards the Chinese, and treat them the same as they would another person.

Q. That they would have to get them into an organization ?—A. Yes.

Q. And I suppose he said it would be necessary to do that to win the fight ?—A. Well, I don't think he used those words, but he did state it would be necessary for the ultimate success of the workingmen in British Columbia that they should. To the best of my recollection I don't think he particularized at all.

Q. Did you see, yourself, any reason for him coming up at that particular time, when there were two strikes on—one at Ladysmith and one at Cumberland ?—A. Well, he gave me the reason that I gave before.

Q. You seriously don't expect the Commission to believe that Mr. Shenton came here purely out of consideration for the Chinamen and not because there were these two strikes on ?—A. As I told you before, it is simply a question of learning so far as they are concerned—that is simply an object lesson. I think it is simply an object lesson to Mr. Shenton and others.

Q. I gathered from the tone of your evidence that Mr. Shenton was trying to ask you to bring the Chinese together, and that he was keeping the true motive behind ? Would that be a right inference ?—A. Is that a question, or is it a remark ?

Q. It is a question. Do you want the Commission to infer from the conversation between you and Mr. Shenton, that Shenton had come here for the purpose of uplifting the Chinese, or for the purpose of winning out in this struggle between the Western Federation and the Company?—A. I sincerely believe, and I would wish the Commission to believe also, that that man came here with the best interests of the workingmen and the Chinese, and that there was no question, as you put it in slang phrase, of exploiting the union. I am sorry you find it necessary to make a pun on this matter——

Q. Mr. Hall, you will kindly forbear from making any remarks of that sort. What we want to know and what we want a frank answer to, is what Mr. Shenton's real object in coming here and talking to you about organization of Chinese was. We want a frank answer?—A. I have given you a frank answer, and I have told you plainly and distinctly that he told me he came here for preparing the way for the Commission—that is his part of it—and on the other hand, I think his intention was to pave the way for organization, but not to make any direct organization—to pave the way. From his language and saying he had no power or authority to state what might be done, it followed that it was simply a talk, a talk of preparation, if you will.

Q. And that it never got any further?—A. No.

Q. So far as I am concerned, I am inclined to believe, from what passed between you and him, that his real object in going to see you was, that he came for the purpose of getting the Chinese organized to win this strike. I don't believe that he came for any friendly interest in the Chinese. If you think there is anything which passed in his conversation to rid me of that idea, I shall be glad to hear it?—A. He said it seemed to be the condition in the States and in British Columbia—as to the Chinese—and that he thought the time had come when workingmen should treat the Chinese along such lines as they wished to be treated themselves, and that it would not be possible—it seems to me that no man would change, no matter what his previous views were—no man would admit the position to be altogether wrong—and seeing the conditions of the present, and willing to change—I don't think, as a Christian man, that he despised the Chinese before—but he worked against them, as workingmen as a rule have done in the past. I think his thought was altogether sincere, and that his reasons for changing were logical, and that the whole tenor of his talk was that of an honest man. That is my conviction.

By Mr. Rowe:

Q. Was any reference made to the policy of excluding the Chinese from the country?—A. I believe this remark was made: that now that an Act was passed, that it would be—I think it just to say—the inference would be, now would be the time to move labour, as far as placing them altogether, the Chinese and Japanese on one level, because the conditions had become changed, and there would be no more probably coming in, and the men here now could be more easily dealt with—that is the inference, you know. One of the great fears of the past was a large influx, greater than the demand for labour, but that now the matter could be treated all right.

Q. That is, the objection to organizing the Chinese before was, that it could not be done, owing to the influx of new men, but it would be a practical measure now that their importation was being restricted, where it would not have been before?—A. Yes.

Q. What did he suggest should be the line of your evidence before the Commission?—A. He made no suggestion; he just asked me if I would go before the Commission.

Q. Feeling that your sympathy lay with the workmen?—A. Yes.

Q. That you felt they had grievances?—A. Yes.

Q. What grievances?—A. The grievance in the past seems to me to have been this: that the individual workman himself had no freedom of expression or thought even; that, having done his day's work, his freedom of talk was always, to my mind, in a repressive state—on the subject of voting, for instance.

Q. Do you know any case in which a man has suffered because he voted contrary to the wishes of the management ?—A. I think at least—there were a large number—I could not tell you just the number who left or felt they had to leave after the election of Mr. Dunsmuir. I know one man, Mr. Russell, who felt he had to resign.

Q. The present manager at Nanaimo ?—A. Yes, he felt he had to resign. He told me that. I had a conversation about what occurred in the office when Mr. Dunsmuir came up—that is all hearsay, is it to the point ?

Q. Well, it is not hearsay if a man says he had to leave the employment of the company because of his view. It seems to me it is a serious matter if a man is pressed into voting one way or the other, but it would be a serious charge to make unless the facts were undoubted ?—A. I am giving you my impressions and what occurred. Then after that election there was another question about the leading men who took part in that having to go.

Q. It is a little risky to mix up in politics in British Columbia anyway ?—A. If you lived here as long as I have you would know that for a fact.

Q. It is a game that is not worth the candle—so far anyway.

By His Lordship :

Q. How long have you known Shenton ?—A. Not long.

Q. A year ?—A. No.

Q. Have you had other interviews with Shenton besides this one—I mean not in relation to this subject generally ?—A. No.

Q. I am rather inclined to think, Mr. Hall, that Mr. Shenton did not disclose his full mission to you.

JAMES REED, sworn.

By Mr. Bodwell :

Q. You are a coal miner, Mr. Reed ?—A. Yes, sir.

Q. How long have you been here ?—A. Eight or nine months.

Q. You have a house and lot here ?—A. Yes, sir.

Q. When did you first know anything about the meeting held on Sunday, April 5, for the purpose of organization ?—A. From the notices posted around town.

Q. What did that notice say ?—A. It called for a mass meeting of miners in Cumberland Hall on April 5 in the afternoon at two o'clock.

Q. Did it state the object of the meeting ?—A. No.

Q. Did you happen to know what subject was likely to come up ?—A. No.

Q. Had you any idea of what was going to be discussed at the meeting ?—A. Yes, according to information I heard around the town and amongst the men a few weeks previous to the calling of the meeting.

Q. What did you hear ?—A. I heard, that Baker was expected up, and that there were quite a number of men from Ladysmith going around trying to see if they could get sufficient to form an organization in Cumberland.

Q. Did you hear the names of any of the men ?—A. No sir, just reported around the town.

Q. Did you make inquiries from any one as to whether Baker had been sent for ?—A. No sir.

Q. Did you know Baker ?—A. No.

Q. The meeting was held on Sunday ?—A. Yes, I went to the meeting.

Q. For the purpose of supporting or opposing organization ?—A. To oppose organization.

Q. Now, what time was the meeting held ?—A. Two o'clock in the afternoon.

Q. Will you please tell the Commissioners exactly what happened, as nearly as you can remember, from the beginning to the end of the meeting. When the meeting was assembled did anybody go on the platform ?—A. There were four or five different men ; I only knew one man, an Italian.

Q. From what you have since learned, do you know ?—A. One of the men was Higney.

Q. He was from Ladysmith ?—A. Yes, and the secretary, Mr. Henderson, Peter Barazoni from Ladysmith and Mr. Baker went on the platform.

Q. Then Higney, Henderson and Barazoni went on in the first place ?—A. Yes, Mr. Higney took the chair.

Q. There was no one voted in the chair ?—A. No.

Q. Who was secretary ?—A. Henderson.

Q. He was not proposed or voted ?—A. No.

Q. Then there was not a Cumberland man on the platform ?—A. No.

Q. Mr. Baker was invited from the back of the hall to the platform, by the chair man ?—A. Yes.

Q. What was the first thing the chairman did after asking Baker to come to the platform ?—A. The first thing Mr. Higney did was to read a communication from the executive board of the Ladysmith men addressed to the brother workers of Cumberland.

Q. Where is that letter, why has it not been produced ? Mr. Higney read it at the meeting ?—A. Yes, from the executive board of the Ladysmith union addressed to their brother workers in Cumberland. The letter related the circumstances leading to the trouble at Ladysmith, and part of the letter stated that their trouble was our trouble here. It was a pretty long letter, two sheets of it altogether. I remember that part of it very well.

Q. When the chairman had finished reading the letter did he say anything ?—A. He introduced Mr. Baker to the meeting. He was not able to say much ; he excused himself on that account.

Q. And Mr. Baker made a speech ?—A. Yes.

Q. What was the purport of his speech ?—A. It was leading up to unions and the benefit to be derived from it, and that he was going around British Columbia, and that he had organized twenty-four unions altogether. He intended to travel through Manitoba, and also take in Ontario and that practically speaking Cumberland was the last place. I took from that, that Cumberland was the last place on the Western continent not organized.

Q. And that he was here for the purpose of organizing ?—A. Yes.

Q. Did he say how he came up here ?—A. Mr. Higney said that he had, during the short stay he had in town, he had received sufficient names to enable him to send for Mr. Baker to come up.

Q. The men ready to organize justified Mr. Baker in coming up here ?—A. Yes.

By His Lordship :

Q. Did he state the number ?—A. No.

By Mr. Bodwell :

Q. But that it was sufficient to justify him in sending for Mr. Baker ?—A. Yes, I heard it was eighty.

Q. You have heard that it was eighty ?—A. Yes.

Q. When Baker finished his speech, what happened next ?—A. After he got through with his address, Mr. Barber, the president of the union rose up and moved a motion that we join—that we form a branch of the Western Federation of Miners.

By His Lordship :

Q. Who was this ?—A. Mr. Barber.

By Mr. Bodwell :

Q. Where was Barber ?—A. He was sitting back about three or four seats from the front of the hall—this hall. He made just a few remarks in regard to the organization. I think he said he had been a member in the Kootenay country.

Q. And that motion was seconded ?—A. Yes, sir.

Q. Then what ?—A. Well, Mr. Higney was going to put the motion without giving anyone a chance to speak, and I saw that the motion was going through without opposition, and I rose and moved an amendment to the motion, that we don't form a branch of the Federation in this place. I added to it also that if the Ladysmith men were out on strike that had nothing whatever to do with us here.

Q. How were you received ?—A. They started to hiss considerably, and shouted to put me out. That was the response I received when I moved that amendment.

Q. Did anybody follow you ?—A. Yes, Richard Collishaw, senior, made a few remarks. I believe they were deprecating the insulting attitude on the part of the audience towards me.

Q. Did anybody follow him ?—A. Mr. Hunden; he also got up and spoke in support of freedom of speech.

Q. Did anybody support your motion ?—A. Yes, by Bicknell. Mr. Hunden got up and deprecated also the attitude of the audience about hissing and shouting to put me out. He considered it was right to give every person in the hall fair play. The next gentleman who tried to speak was Mr. Collishaw.

Q. What did he have to say ?—A. He suggested that we leave this matter for a week ; that it was a serious matter, and that we should consider it and take a secret ballot at the pit. He asked if Mr. Sangster was in the hall. He says, is that not the way you did at Nanaimo. Every vital question at Nanaimo is voted by secret ballot. Replying, Mr. Sangster said that things had changed there now, we have the Western Federation there now, and we usually get what we want.

Q. At this stage did anything happen ?—A. Mr. Baker stepped to the front, excused himself to the chairman, and said that the motion and the amendment was out of order. He was here to organize a branch of the Western Federation in Cumberland, and all those not willing to join the organization he would request to leave the hall.

By His Lordship :

Q. Baker said this—not the chairman ?—A. Baker, not the chairman.

By Mr. Bodwell :

Q. That he was going to organize, no matter how many were taken in ?—A. Yes.

Q. What did the chairman do—was the motion put ?—A. No, the motion was not put, nor the amendment.

By His Lordship :

Q. He said the motion was out of order, that the meeting was for the purpose of organizing, and that those who did not wish to organize could retire ?—A. Yes, your Honour.

Q. You say both motion and amendment was out of order ?—A. Yes.

By Mr. Rowe :

Q. How was the meeting called ?—A. For a mass meeting of miners ; no object was stated in the notice.

Q. Was the notice signed ?—A. No.

JAMES REED—Cumberland, May 29.

By His Lordship :

Q. How long notice was given of this meeting ?—A. I believe it was posted on Saturday.

Q. And the meeting was on Sunday ?—A. Yes ; the notice might have been on Friday night or Saturday ; I believe it was just one day.

Q. I gather that what Mr. Baker said was that both the motion and the amendment was out of order, as the meeting was for the purpose of organizing, and that those who did not want to organize should retire ?—A. Yes, these are about the words he used.

By Mr. Bodwell :

Q. What struck you at the time that Baker should interrupt ?—A. I came to the conclusion that what he said was correct ; that he was there to organize and came for that purpose.

Q. Why should he interrupt at that stage of the proceedings ?—A. There were likely to be expressions of opinion. There were quite a number of people in the hall who were not favourable to the organization at the time.

Q. You knew that to be the fact ?—A. Yes.

Q. After Baker said that, Some went out, you among the rest ?—A. Yes, I waited a couple of minutes, and then went out.

Q. Do you know as a matter of fact whether all the people who had expressed themselves as being opposed to the union went out ?—A. No, some of them did not go out.

Q. Do you know why ?—A. I came to the conclusion that the men were afraid, when they saw the treatment I had received by being hissed and shouting to put me out, that they were afraid of expressing their opinion.

Q. Now, you didn't join the union ?—A. No.

Q. You went to work ?—A. Yes.

Q. You did not stay at work ?—A. Right up to the strike ?

Q. Not after the strike ?—A. No.

Q. The strike was not called until the 2nd of May. After the strike was called, did you work ?—A. No, I worked one day after the strike.

Q. Why didn't you work after that ?—A. Well, I did not want to be branded as a scab or a blackleg.

Q. Were these remarks made generally to people who were classed that way ?—A. Yes.

Q. Were they made to you ?—A. No, I cannot say personally by any person in the organization.

Q. Where do you live ?—A. In Cumberland.

Q. In what part ?—A. Outside of Cumberland.

Q. In passing to and fro on the streets around your house have you anything to say about what has been occurring ?—A. I have seen one or two men that have been working insulted on the streets, and naturally if I was to work I would receive the same treatment, and I consider my life in the town would not be worth much, so far as mixing up among people.

Q. That you would be socially out of it ?—A. Yes.

By His Lordship :

Q. You would not consider your life would be worth much ?—A. No.

Mr. Bodwell.—Not in danger of his life, but the comfort of living, socially ostracised.

By His Lordship :

Q. Insulted on the streets, is that what you mean ?—A. Yes.

Q. Called a scab and other foul names ?—A. Yes, your Honour.

By Mr. Bodwell :

Q. How long have you been working in the mines here ?—A. I have been continuously in the mines except two years and six months—nine years and eight months.

Q. Where were you before that ?—A. In Nanaimo.

Q. What had been the condition here, in so far as wages and general comfort of the mines were concerned, without the union ?—A. Well, I think that everything was going along very peaceably here. There might be some men who had complaints, but we find that in all mining communities; we find that same trouble existing.

Q. Were things any better from your experience in Nanaimo where they had a union than in Cumberland where they had no union ?—A. Not the slightest.

Q. Any more difficulty in dealing with the bosses and getting allowances than you had at Nanaimo where the union was ?—A. Very little difference in that respect. I have worked for as small a wage in Nanaimo as here. I have worked for $2 a day in Protection shaft. I have made from $5 to $6 at the same time.

Q. What is the lowest wage you have made at Cumberland ?—A. I believe I have made as low as $2.50 and $2.75 here.

Q. So your rate of wages is higher than in Nanaimo ?—(No answer.)

Q. Can you suggest any reason why a union would benefit the men at Cumberland, from your experience as a practical miner ?—A. I think the formation of this union was premature at this time. I think the men here took the wrong time for forming this union, seeing that they had formed the Western Federation at Ladysmith and Mr. Dunsmuir would not recognize it. In my opinion it would have been much better to see how Ladysmith would get along before we ran into the same difficulty.

Q. There was nothing pressing on the men which required immediate action by way of organization ?—A. Nothing pressing.

By Mr. Richards :

Q. You stated something about Mr. Baker saying about the 'western continent.' I would like you to explain what is meant by that ?—A. He stated that this was practically the last place. I took from that that he meant in the western continent.

Q. What do you mean by that ?—A. The Western States.

Q. This is a pretty big country, to take that inference from it ?—A. Those are the words used; he said that this was practically the last place.

Q. Did he mean in the western continent ?—A. I didn't say he did.

Q. How could you gather that inference ?—A. I gathered that.

Q. Did he say that this was about the last place ?—A. No, he did not say that; he said that this was practically the last place.

Q. Then you have got it wrong by making the statement as to the western continent. Did he say the western continent or not ; I want you to recall that ?—A. I did not say he said that. I took my view from what he said. The inference was that he meant that this was practically the last place in this western continent.

Q. You might just as well have said the world, for that matter ! When you said the motion was going through without opposition, what harm would there have been in letting it go ?—A. I always like to have amendments made before a motion goes through so as to have it discussed. The question was going to be put without any opposition.

Q. It is not usual when a motion comes up that they don't care to discuss it, and if not in favour of it they vote contrary to it ?—A. When I am in a meeting I never like to believe that. If a motion is allowed to go through without amendment, naturally it carries.

Q. Well, a man is voting on what he thinks ?—A. Yes, but you have expressions of opinion on what you are going to vote on.

Q. There was time enough if a man wanted to say anything ?—A. I did not consider there was time. The chairman would have put that motion to the meeting, and it would have been carried if I had not made my amendment.

Q. How was the motion ruled out of order ?—A. For the simple reason that Mr. Baker was afraid to take the motion for fear it would show a considerable number against it.

Q. How could that be ?—A. There was quite a number who would have voted against it.

Q. You must have known some ?—A. I could give you the names of the executive that asked me to be there to vote against the union—some of your officers, two hours before the meeting.

Q. Why didn't they object ?—A. They were afraid, I guess.

Q. You went there to object ?—A. I had a perfect right to go.

Q. How could you go there to vote against it ? You said you knew it was not called for the purpose of organizing ?—A. No, but we knew Baker was here.

Q. You went there for the purpose of stopping organization ; still at the same time, you did not know it was for the purpose of organization ?—A. Yes, it was known. Baker was here. The notice was misleading.

Q. You mean you had heard enough to know ?—A. Yes, we knew that they were going to capture the camp if they possibly could.

Q. Could you not have given the other men the same opportunity to express their views ?—A. They were calling out for it—I suppose the men were frightened to give their opinion.

Q. When this was over and the strike came out, were you frightened then ?—A. I don't know anything about it ; I was not there.

Q. How could they be frightened when it was by secret ballot ?—A. I was not there.

Q. You must have known that that motion was out of order, and that the amendment you made was out of order ?—A. The chairman never ruled that motion out of order. He put the motion to the meeting and called for the question. The chairman never ruled that motion out of order and neither did he rule my amendment out of order. The chairman never interfered with the motion nor the amendment ; it was Mr. Baker.

Q. What caused the commotion ?—A. What caused the commotion in the hall ? Because I had talked upon and moved an amendment that we don't join the Federation. Then they started to hiss me.

Q. Was that hissing not for the seconder —A. I don't know.

Q. Do you knew who was your seconder ?—A. Yes, it was Mr. Bickell.

Q. Didn't he get up and pass personal remarks ?—A. He called attention to the gentleman who was hissing.

Q. What did he say ?—A. Of course he said this man was not working here. They were hissing to call their attention.

Q. Did the man say he was working ?—A. Yes, the man was working.

Q. Do you know anything about unions at all ?—A. I should think I do.

Q. Are you in favour of them ?—A. I know more about unions than you do. Were you ever in a union before ? I have been in a union all my days.

Q. Explain why you don't belong to it here now ?—A. There never was a union in my time.

Q. Well, now ?—A. Don't I have the same privilege as you for not becoming a member of the union.

Q. Because you don't feel like it ?—A. Yes.

Q. Is this union against your principles ?—A. Yes, it is against my principles to join a union at the present time, of the Western Federation.

Q. Would it affect you in any way if you did join the union ?—A. Yes, I consider it would affect us greatly.

Q. Have you ever had your political opinion curtailed in this place ?—A. No.

Q. Have you held any political opinion that would oppose the employer's opinion ?—A. No, I don't say I would.

Q. Would it not strike you that that is the reason you have had no difficulty ?—A. There never was any person discharged, all the time I have lived in this town, for political opinions.

Q. I was asking you which side you were on ?—A. I voted according to the candidate that suited me; that is the side I was on.

Q. Did you ever give opinions opposite to the opinions of the employers ?—A. No, no occasion ever arose during the time I was here.

Q. Supposing you had an opinion opposite to the employers, do you think you could express it ?—A. The occasion never arose all the time I have been here.

Q. You said you had no grievance particularly ?—A. Yes.

Q. Your freedom of speech was never curtailed ?—A. No.

Q. Mr. Halliday says that nine years ago freedom of speech was curtailed ?—A. I was not working here; I heard of it.

Q. Were you not here when Mr. Russell had a little trouble ?—A. No, I was living about three miles away; I heard about it. I never had any conversation with Mr. Russell; I heard it discussed.

Q. And that would show you what he left for ?—A. I have never heard it discussed, that is all.

Q. About that meeting here; you spoke of strangers being on the platform ?—A. Yes.

Q. From past experience, why did you think it strange ?—A. I didn't think it strange.

Q. As the men were discharged here before, I should think it would be nothing but the proper course to take, to have strangers on the platform ?—A. It was immaterial to me who was on the platform.

Q. Supposing that union had been formed and Cumberland men were on the platform, they would have to go, would they not ?—A. I don't know anything about it. I was not here when that political trouble was.

Q. Did Mr. Baker say he was going to organize at all costs ?—A. He never mentioned costs. Something to that effect. I will repeat the words: that the motion and amendment was out of order, as he was here to organize, and all those not wishing to join would be requested to leave the hall.

Q. Was he not coming to organize anyway ?—A. Yes, he came for that purpose.

Q. Didn't he say he was going to organize if the people of Cumberland wished it ?—A. The people of Cumberland never got the chance of wishing it.

Q. But he said that if the people of Cumberland wished it he would organize ?—A. There was a motion made that we do organize, and Mr. Baker turns around and says the motion is not in order, and we did not get the chance.

Q. Then Mr. Baker said he was here to organize ?—A. Yes.

Q. If the people of Cumberland accepted it. And they accepted it and organized ?—A. I beg to differ. Where did they accept it when there was no motion carried to form the organization ?

Q. They stayed to organize ?—A. Those that went out didn't accept it. If the motion had been carried as it was put, then we would have accepted it, and would have to abide by that decision.

Q. The motion was called out of order. You don't say it was in order ?—A. My freedom of speech was curtailed; I was not allowed to speak.

Q. They called order, did they not ?—A. No, the chairman did not call order, or Mr. Baker either.

Q. Was there any order ?—A. There was order after.

Q. Could you not have spoken again ?—A. With the same treatment as before.

Q. You had no guarantee of that?—A. I had no guarantee of any better treatment.

Q. What do you mean by calling a scab here?—A. The very children here—a man cannot go along the street without being called a scab. I could give you an account of school children calling scab. We have Nelson and Bickell working, and they have been called names.

Q. Have you heard of them being called scabs?—A. I have seen Mr. Nelson go up the street one Saturday night, and a crowd of men on the other side of the street hissed him. Mr. Bickell the same. The expression was not used.

Q. Probably they might have been hissing at something else and Mr. Nelson came along at that time?—A. Possibly.

Q. You must be open for that kind of suspicion?—A. No, it is daily conversation.

Q. Was it conscience or anything that troubled you?—A. I have nothing to trouble my conscience.

Q. And you never sought work for fear you would be called a scab?—A. Yes, I had not the freedom of my actions.

Q. You say this is a free country and you were right in going to work?—A. The country is not a free country. Freedom of speech was corralled.

Q. That is what I am trying to get at. It is curtailed on all sides.

By His Lordship:

Q. Can you give us any special reason why you objected to the Western Federation as opposed to, say, a local union?—A. Your Honour, I had studied the matter for some time. I saw what was coming. I had studied the question this way—that we were just going to have a repetition of the same trouble at Ladysmith if we formed a union at the present juncture.

Q. You mean to say it was an ill-advised movement?—A. Yes, at that time.

Q. I gathered, rather, that you had some special objection to the nature of the Federation?—A. No, I had no great objection in that respect, only I thought that they started at the wrong time here.

Q. Was the constitution read at the meeting?—A. No.

Q. Was it explained to the meeting?—A. No.

Q. If you had your choice in the matter, would you be a union man or a non-union man?—A. I would be a union man.

Q. Would you join a local union or an international union?—A. I would join a local union.

Q. Do you consider that sufficient?—A. Quite sufficient, if it embraces a certain area of country.

By Mr. Rowe:

Q. The Nanaimo union was found to be effective for the purpose of its organization?—A. No, I don't think it was. During the time I was in Nanaimo, ten years ago, the majority of the men nearly had no use for it at that time. In fact they had a meeting in the opera house there, and it came very nearly being broken up ten years ago. But the pressure from the company at that time kept it going.

By His Lordship:

Q. What do you mean by that?—A. Well, Mr. Robins was in favour of the union.

Q. He persuaded them to keep up their union?—A. Yes.

Q. When you say the union at Nanaimo did not benefit, because you only made $2, how can any other union benefit you?—A. The places were valued, and you could have a certain wage, say $3 a day.

Q. I gather from your evidence that you could get along just as well at Nanaimo without a union?—A. I worked in Nanaimo before we had a union, and I got along without it.

Q. Why do you say you would now like a union ?—A. It would allay a certain amount of irritation, and in cases where disputes occurred with the management such as deficient work, it would have a tendency to have these men remunerated according to a fair day's wage.

Q. But still, when a member of the union at Nanaimo you only got $2 ?—A. Not permanently.

Q. I thought one of the chief advantages of a union was to provide a minimum wage ?—A. Not in all cases. In some cases they pay no attention ; you must just take what you get.

Q. From your experience of unions, do the executive control, or the majority ?—A. All of the men control as a rule. That is one thing I have against the Western Federation ; there are too many officers in it.

Q. Are the men given to expressing their view in open meetings ?—A. I have never been to any of the Federation's meetings.

Q. I mean local unions ?—A. Yes, there is absolute freedom of speech.

Q. Are no views hissed ?—A. No, sir. I have been in a great number of unions now in my experience, and I never received, nor saw anyone receive, the same treatment as I received that Sunday. I started mining when I was ten years of age, and I am now over forty, and I have never seen the same treatment afforded anyone.

Q. Discussions as a rule are freely made, and everyone has a right to say what he thinks ?—A. Yes.

Q. And if his opinion is not received with favour, there is no attempt made to bully him ?—A. No, sir.

GEORGE RICHARDS, recalled.

By His Lordship :

Q. You identify these telegrams, Mr. Richards ?—A. Yes, sir. (Exhibit 16).

Q. These telegrams have been produced by Mr. Peacey. I see one to Samuel Burdette, 423 New York Block, Seattle, dated 2nd May,—'Strike still on ; don't send anybody; only Chinamen working,' Signed, L. Irvine. Who is he ?—A. He is a coloured fellow who came here.

Q. Where is he now ?—A. I don't know where he is.

Q. Was he a Western Federation man ?—A. No.

By Mr. Rowe :

Q. A man who came here to get work ?—A. I think he is a man who came here to work, or something, thinking there was no strike on.

Q. He was not a Western Federation man ?—A. No.

By His Lordship :

Q. Why should he send such a telegram as this, unless he was a union man ?—A. He came here thinking that there was no strike on here, and when he came here he found that the strike was on, so he telegraphed back.

Q. Have you seen him ?—A. Yes, he spoke to me.

Q. You say he is a coloured man ?—A. Yes.

By Mr. Rowe :

Q. Who was the man he telegraphed to ?—A. I think he is an agent. He told me he was an agent. An employers' agent, and that when this man came up here he said 'write or telegraph back the situation.' So after he came here and found how things were he telegraphed back.

By His Lordship :

Q. Did you tell him it would not be advisable for him to attempt to get work here, or bring people over from the States ?—A. No, I never told him it would not be advisable at all. He spoke about the question and said he had been misinformed.

Q. Why should he care if he was not a union man ?—A. Well, he said he would not care to work where they were on strike, anyway.

By Mr. Rowe :

Q. That is the same block as the headquarters of the Federation at Seattle are in ?—A. I don't know ; I know that has nothing to do with the Federation.

Q. What is room 512, New York Building, Seattle ?—A. I could not tell you.

By His Lordship :

Q. Do you know J. F. Sanden ?—A. No, I don't know what these telegrams are; they were prior to the formation of the union.

Q. Don't know anybody of the name of J. F. Sanden ?—A. No.

Q. Do you know Sarvell ?—A. No.

Q. What was the object in sending this telegram to Baker:—'Cumberland union decide to go on strike; come up if possible'?—A. It is in the constitution, if there is an organizer, or a member of the executive in the district, he has to come up.

Q. What for ?—A. To look after affairs.

By Mr. Rowe :

Q. It was not quite agreed—it was not a unanimous vote ?—A. Well, it was almost a unanimous vote.

By His Lordship :

Q. Do you know Pritchard ?—A. No, I only know that he is president of the association at Ladysmith. I have never seen the gentleman yet.

GEORGE RICHARDS, recalled.

By His Lordship :

Q. I understood you to say that you were opposed to sympathetic strikes ?—A. No, I said there might be circumstances arise for sympathetic strikes. I was not entirely in favour of them.

Q. In what cases would you suggest a sympathetic strike would be justified ?—A. Maybe there would be at times it would help the cause. It might materially help both parties.

Q. You would not call the strike here at Cumberland at sympathetic strike ?—A. No, in fact it is not a sympathetic strike.

Q. What would be your position if you were convinced that it was a sympathetic strike, engineered by Baker ?—A. If it was ?

Q. Yes ?—A. Well, I could hardly say to that ; I know it was not.

Q. Was there any discussion at the meeting on May 2nd as to whether there should be a sympathetic strike here or not ?—A. No, I cannot recall any discussion of that kind.

Q. Did Baker say anything about sympathetic strike at the meeting ?—A. I cannot remember him saying anything about sympathetic strikes at all. He said, we deplore strikes ; I remember him saying that in his speech—as a Federation we deplore strikes.

Q. Can you tell us what is the opinion of the majority of the members here on the subject of sympathetic strikes. That is to say, if they had thought this was a sympathetic strike engineered from Denver or Baker, whether they would have consented to come out ?—A. I could not say how they would feel on that.

Q. If that were the true fact, that this strike was a sympathetic strike, engineered by Baker, would you have gone out on strike ?—A. I would have had a lot of discussion on it, and have seen the pros and cons of it.

Q. Would it surprise you to hear that it was a sympathetic strike ?—A. Oh, yes; I know it is not, so it would surprise me.

Q. Then if it appeared that it was a sympathetic strike, called at the instance of Baker, the inference would be that the men had not been taken into full confidence ?—A. If it was a sympathetic strike, you say ?

Q. The inference would be the men had not been taken into full confidence ?—A. Well, I cannot see that it is a sympathetic strike.

Q. Assuming that could be shown, that would be the right inference, that the men had not been taken into full confidence—that they had no chance of discussing it ?—A. No, they didn't discuss any sympathetic strike.

Q. They would not have been taken into the full confidence of the union?—A. No, I suppose not.

Q. You were one of the leaders here ?—A. Yes.

Q. You were not given to understand that this was a sympathetic strike ?—A. No.

Q. You had no notion of that ?—A. No.

Q. You were not at Nanaimo—the joint meeting ?—A. No.

JOHN HUTCHINSON, re-called.

By His Lordship :

Q. Do you believe in sympathetic strikes ?—A. Well, I can't exactly say I do, your Honour.

Q. Didn't you see the telegram sent by Baker to Moyer ?—A. Yes—no, I beg your pardon, I did not. I thought you meant by Moyer to Baker.

Q. If you had known that this was a sympathetic strike engineered by Mr. Baker, would you have been a consenting party to it ?—A. Well, it never entered my head about anything like that. I don't think it was a sympathetic strike.

Q. If you had known that that was the real reason as far as Baker was concerned, would you have been a consenting party ?—A. Such a thing as that would have to have due consideration, I suppose.

Q. You were not given any chance to discuss that feature of it ?—A. I can't exactly say that.

Q. You discussed as to whether it should be a sympathetic strike or not ?—A. Not that I am aware of.

Q. Then if it could be shown that this is a sympathetic strike, called at the instance of Mr. Baker, the inference would be right that the men had not been taken into the full confidence of the leaders, would it not ?—A. Assuming that it could be shown, but I don't think it could be shown.

Q. But that would be the right inference ?—A. I guess it would be.

Q. Do you think the majority of the men would have approved the proposition to go out on sympathetic strike ?—A. I don't think anything about it; I cannot.

Q. You cannot tell us what the feeling of the majority is ?—A. No.

Q. At any rate, that subject was not discussed at the meeting on May 2, as to whether it would be right to go out on sympathetic strike ?—A. Not to my knowledge.

By Mr. Rowe :

Q. Was it ever discussed at any other meeting?—A. No, I cannot recall anything.

Q. Was it never suggested that it would be a good thing to come out in sympathy with Ladysmith ?—A. I could not say. I could not recall anything like that.

Q. Was it suggested to you any place, say at Nanaimo, that Cumberland ought to come out in sympathy with Ladysmith ?—A. No, I don't think it was.

Q. And you had no idea that any such proposition was being considered ?—A. No, I had not.

Q. So that if it was being considered it was being considered entirely without your knowledge ?—A. Yes.

DAVID HALLIDAY, recalled.

By His Lordship :

Q. I think you have already stated that you did not approve of sympathetic strikes ?—A. Yes.

Q. You were at this joint meeting at Nanaimo ?—A. Yes.

Q. Was the subject of sympathetic strike discussed there ?—A. No.

Q. If you had understood there was any idea on the part of Mr. Baker or other leaders at that time to call out Cumberland in sympathetic strike, would you have approved of it ?—A. No, I don't think so.

Q. At all events, you were given no opportunity ?—A. No, it was never discussed.

By Mr. Rowe :

Q. Either in public or private ?—A. No.

By His Lordship :

Q. Then, if it could be shown that that was the intention of Mr. Baker, that would go to show that the men here had been deceived, would it not ?—A. I don't think the men were ever pointed out anything about sympathetic strike.

Q. No mention made of it at the meeting on May 2 ?—A. Not that I know.

Q. And the men here have never been given any opportunity to discuss whether they go out on sympathetic strike ?—A. Not that I remember.

Q. Can you tell us what the views of the majority of the members of the union are on that question of sympathetic strike ?—A. I do not know; I could not state exactly.

By Mr. Rowe :

Q. Did you see the telegram from Moyer ?—A. Yes.

Q. Who showed it to you ?—A. I saw it at the meeting, I think.

Q. It was passed around ?—A. No, I was sitting beside the secretary of the regular meetings of Cumberland union.

Q. You did not see it at Nanaimo ?—A. No.

By His Lordship :

Q. Who brought it up here from Nanaimo ?—A. The president, Mr. Barber.

By Mr. Rowe :

Q. You did not know anything about the telegram to which that was a reply ?—A. No, I did not know anything about it.

ORIM BARBER, recalled.

By His Lordship :

Q. What is your opinion about sympathetic strikes ?—A. I never considered sympathetic strikes.

Q. Was the subject of sympathetic strikes discussed at the joint meeting in Nanaimo ?—A. No, sir.

Q. Did you see the telegram from Baker to Moyer of which the telegram produced here was an answer ?—A. No, I did not.

Q. You did not see Mr. Baker's telegram ?—A. No.

Q. Had you known that Baker's intention was to call out the men at Cumberland on sympathetic strike, what would you have done ?—A. If it had been his intention, I believe, I would have known it.

Q. What would you have done ?—A. I am not considering the question ; I don't know what I would have done.

Q. If he had any such intention as that he should have confided in you and the other officers of the union ?—A. If he had any intentions he would have done so ; it would have been his duty ; he would have done so.

Q. It would have been his duty to do so ?—A. Yes.

By Mr. Rowe :

Q. Why would it have been his duty ?—A. He is our district member.

By His Lordship :

Q. I suppose he is bound not to mislead you ? He would have no right to mislead you ? You are entitled to be taken into his full confidence, are you not ?—A. I would say that I am.

By Mr. Rowe :

Q. In all matters affecting this lodge you think you should be taken into his confidence ; as president of the lodge, you think you should have known of his intentions so far as they relate to this lodge. That is what I understood you to say ?—A. (None).

By His Lordship :

Q. Do you think he would have a right to keep back from you, as president of this union, anything relating to the union ?—A. I don't think he did.

Q. That is not the question. Would he have any right to keep anything back relating to this union from the officers ?—A. He would have no object.

Q. Would he have any right ? Would it be a proper thing for him to do ?—A. No.

Q. Then if Baker did intend to call Cumberland out on sympathetic strike, the men have been kept in ignorance of it ?—A. Baker had nothing to do with calling out the strike.

Q. If it was, his intention was not disclosed ?—A. If that was his intention he had no right.

Q. At all events his intention was not disclosed either to the officers or the men ?—A. He could not call the strike.

Q. Did he disclose any intention about calling out the men on sympathetic strike ?—A. No.

By Mr. Rowe :

Q. Did he ever suggest that it would be desirable, or that it might be necessary to call out Cumberland in sympathy with Ladysmith ?—A. No.

By His Lordship :

Q. You did not see the telegram that Baker sent to Moyer?—A. No, I did not; I saw the one that came in reply.

By Mr. Rowe :

Q. Where did you see it first ?—A. In Nanaimo ; Baker showed it to me.

Q. Did he say anything about the telegram that that was a reply to ?—A. No, he did not.

Q. Did you form any opinion as to what it was a reply to ?—A. It was in reply to a telegram that he had sent.

Q. You never thought of what the substance of the telegram was ?—A. No, I I never gave it any consideration.

Q. Did he tell you to bring it here ?—A. He told me I could keep it and put it in my pocket.

WILLIAM ANTHONY, recalled.

By His Lordship :

Q. What is your view about sympathetic strikes ?—A. Well, I don't know; I have no sympathy with a strike at all.

Q. If it had been proposed to you as an officer of this union to come out in sympathy with the strikers at Ladysmith, what would you have said ?—A. I would have said not to come out so long as I was not in sympathy with them.

Q. If it were proposed by Mr. Baker, or any one in authority, to you as an officer of this union to come out on sympathetic strike—— ?—A. I would say no.

Q. Were you present at the meeting on May 2, the meeting where they resolved to come out on strike ?—A. Yes.

Q. Was the subject of going out in sympathy with Ladysmith discussed ?—A. No.

HIS LORDSHIP.—Now, the Commission proposes to take it as proved and for granted that none of the members of the meeting or of this union, when they went out on strike on May 2 understood that they were going on sympathetic strike with the miners at Ladysmith, unless someone wants to come forward and say the contrary.

Now, the Commission has secured the telegram to which the telegram produced here was an answer, that is to say, a telegram sent by Mr. Baker to Moyer, and the Commission proposes to ask Mr. King to go into the box and produce that telegram. It will then be for the members and officers of this union to draw their own conclusions.

W. L. MACKENZIE KING, sworn.

HIS LORDSHIP.—You might just make your statement, Mr. King.

WITNESS.—On Wednesday afternoon, acting under instructions from the Commissioners, I sent this telegram to Mr. Archibald, agent of the C. P. R. at Nanaimo:—

> 'Please wire immediately to Royal Labour Commission copy of telegram from Chas. A Baker to Charles Moyer at Denver, to which the following telegram from Moyer to Baker was the answer : 'We approve of calling out

any or all men necessary to win at Ladysmith; organize Japanese and Chinese if possible'—dated during April. Please keep original asked for by Commission.'

GORDON HUNTER,
ELLIOT S. ROWE,
Commissioners.

The next morning at 10.30, calling in at the telegraph office for a reply, and receiving none, I sent this telegram to Mr. Archibald :—

'Commissioners desire to know immediately why no reply has been received to their request of last night. They desire an immediate reply.'

About noon the same day I received this answer from Mr. Archibald :—

'Message of 27th only received late last night; have referred matter to superintendent. Awaiting his reply.'

About an hour later, acting under instructions, I sent this telegram to Mr. Archibald :—

'Copy must be wired this afternoon, otherwise Commission will take measures to enforce the order, which must be obeyed.'

GORDON HUNTER
ELLIOT S. ROWE,
Commissioners.

This morning at about twenty minutes after ten I received this telegram from Mr. Archibald :—

'Am I to understand that the Commission order production of the copy, and that the original is to be produced later under a regular subpœna ? This refers to copy requested on 27th.

I replied :—

'Yes, send copy immediately, original will be asked for under subpœna later'

At one o'clock to-day I received the following telegram :—

'Herewith copy asked for on 27th.'

The telegram is in cipher. The first word is 'Yuglfzvgn,' the next is 'nfxf,' the next 'phzoreynag,' the next 'bhg,' the next word is 'va,' the next 'flzengul,' the next 'v,' the next 'nccebir,' the next is 'unir,' followed by 'jr,' then 'lbhe,' and finishes with 'pbafragn,' signed J. A. Baker, and the signature of the agent, Mr. Archibald, is at the bottom.

After receiving this telegram I endeavoured to make out a translation, and it did not take very long to discover the number which was the key to the telegram. My translation of the telegram is as follows :—

NANAIMO, April 21, 1903.

'CHAS. N. MOYER,
625 Mining Exchange Building,
Denver, Colorado.

Ladysmith asks Cumberland out in sympathy. I approve; have we your consent ? Ans.'

J. A. BAKER.

HIS LORDSHIP.—Now, the Commission thought it proper to find out, if possible, where that telegram was, and the Commission are satisfied that that translation is a correct one, and they have felt it to be their duty to bring the whole matter before the members of the union, as well as the public, because the members of the union were

entitled to know what was going on. If the members of the union are not now satisfied that it was Mr. Baker's intention to call them out on sympathetic strike, I should think they would be difficult to convince of anything. However, it is now for the officers of the union to make any explanation they see fit. It seems to me when a man assumes the position of a labour leader like Mr. Baker, that the first thing he should do is to give them his confidence, and unless some explanation is given by Mr. Baker to the officers of this union, I don't see how he is a man in whom they can have any confidence.

Mr. RICHARDS.—As far as I can gather about that telegram it must have been a request from Ladysmith asking Baker——

HIS LORDSHIP.—That was the telegram sent by Mr. Baker to Mr. Moyer.

Mr. ROWE.—Mr. Baker says, 'I approve.'

Mr. RICHARDS.—It seems as though he did not carry out the telegram.

Mr. ROWE.—He gave you that telegram that came in reply.

Mr. RICHARDS.—Yes.

Mr. BARBER.—It was never acted upon.

HIS LORDSHIP.—It is for the officers and the members of the union to consider how far they have the confidence of Mr. Baker. You will notice the answer does not say anything about sympathy.

Mr. RICHARDS.—'We approve of calling out any or all to win at Ladysmith.'——

HIS LORDSHIP.—But nobody, Mr. Barber, or any one else, reading the answer would not think it was a sympathetic strike.

Mr. RICHARDS.—I should think 'to win at Ladysmith' would mean sympathetic strike.

HIS LORDSHIP.—It is for the men to discuss that among themselves, and come to their own conclusion. We thought it our duty to bring out the facts, and it was no thanks to either the miners or anybody else that we got these facts. We are going to get all the facts, no matter whom it hurts.

Mr. BARBER.—I would ask that you recall Mr. Hall, and have him give that portion of his evidence that was turned away.

HIS LORDSHIP.—What evidence was that?

Mr. BARBER.—In regard to the killing of the Chinaman.

HIS LORDSHIP.—I don't see that that has anything to do with the case.

Mr. BARBER.—It has something to do with freedom of speech and action.

HIS LORDSHIP.—I suppose we can have Mr. Hall again, if it is necessary. If there is anybody here wishes to make a suggestion about the telegram, or throw any light on it, we would be glad to hear him. What we desire is to see if the men have been fairly treated in this matter; that there has been no deception practised.

DAVID HUNDEN, sworn.

Q. Can you tell us what took place about the sympathetic strike?—A. As far as sympathetic strike is concerned. We can say that it is a sympathetic strike, but not in the view that it is—that we tried to get it up in sympathy with the Ladysmith men.

Q. What is your idea of a sympathetic strike?—A. It is a sympathetic strike in one way, and that is in sympathy with the officers that have been discriminated against.

Q. Is that what you understand by a sympathetic strike ?—A. Yes, but as far as any other way, there is nothing been done whatever in sympathy with any other place. If Mr. Baker sent any communication in that way I don't believe that affected it. I can take my oath, and am ready to sacrifice my right hand that it is not so, that this strike was decided on—that it is in sympathy with the officers.

Q. You don't think this case about the officers was trumped up to cover up the tracks of this sympathetic strike ?—A. No, sir; I don't.

Q. I suppose you are glad to learn what kind of telegram was sent to Mr. Moyer ?—A. I don't know anything about that telegram.

Q. You are satisfied that the telegram is as it purports to be ?—A. I am satisfied that this telegram has no effect whatever upon the present strike at Cumberland.

By Mr. Rowe :

Q. The president said in his evidence yesterday, that that telegram was what gave the union its authority to strike, or that assured it of the approval of the central authority the strike in connection with the discrimination against the officers ? Is that correct ?—A. Yes, that is in the light in sympathy with them—that they had the power of taking this action, that is, in sympathy with the officers.

Mr. ROWE.—That is not the meaning that is generally applied to the term 'sympathetic strike.' The president said that the union received the approval of the central authority by means of a telegram from Mr. Moyer to the president. The president thought that this telegram justified the union in calling the strike on May 2, in order to provide for the reinstatement of the officers. Apparently that telegram approved of a sympathetic strike, and not at all in reference to the officers. So it leaves the union in one of two positions ; either that it did come out in sympathy with Ladysmith, or it did come out without the approval of the central executive.

Mr. BARBER.—It is the approval of the central authority if we came out constitutionally, as we did. We were therefore entitled to the support of the Western Federation.

Mr. ROWE.—You will admit that the approval came by that telegram.

Mr. BARBER.—The telegram says, 'we approve.'

By His Lordship :

Q. You say you did not see the message from Baker ?—A. No.

Q. Now that you have seen the message are you satisfied that Baker was engineering a sympathetic strike ?—A. I am satisfied that Ladysmith had asked for it, and that Baker had wired, but that was in answer to something else.

Mr. BODWELL.—You remember Mr. Baker said that the constitutional way was for one union to request the executive and they would request the other. That is the course that has been followed.

Mr. RICHARDS.—Whenever there is a strike declared, a member of the executive has to come at once to that district and take hold of negotiations. Ladysmith being on strike, Baker had hold of negotiations. Ladysmith instructed Baker as a member of the executive, to wire and see if they had permission to call Cumberland out in sympathy. They had permission, but they did not call them out.

HIS LORDSHIP.—But the answer is handed by Mr. Baker to Mr. Barber and shown in the union here.

Mr. RICHARDS.—Then after—Ladysmith would have to ask us to come out.

HIS LORDSHIP.—There is a straight request from Baker—'Ladysmith asks Cumberland out in sympathy. I approve ; do you consent——'

Mr. RICHARDS.—They never asked Cumberland.

HIS LORDSHIP.—No, but the approval was handed with the original telegram to Mr. Barber.

DAVID HUNDEN—Cumberland, May 29.

Mr. RICHARDS.—That would approve of it should Ladysmith send in for it. It would approve of it.

HIS LORDSHIP.—There is a straight inquiry by Baker on April 21 of the head office at Denver, whether they would be allowed to go out in sympathy, and the answer is—'We approve of calling out all men necessary to win at Ladysmith.' That answer is given to Mr. Barber and he is kept in ignorance of the message sent. The answer says nothing about sympathy. It is given to him by Mr. Baker to bring up here. Of course it is for you to ask yourselves the question why Baker did not show you the telegram he had sent. He sent it in cipher. He had some reason for not showing it to you. You can figure that out for yourselves.

JOHN MATTHEWS, sworn.

By Mr. Bodwell :

Q. You have here an abstract of wages paid per man for the months of February, March and April—the average—A. You will notice some of the amount is for three months and others for five months.

Q. They are all averaged ?—A. With the exception of one.

(Abstract of wages put as Exhibit 17.)

Q. Just give the averages ?—A. The average in No. 4 mine for March, 1903, is $4.13, and in April—it is not totalled here. It can be totalled in a few minutes.

Q. Can you say whether it would be likely to be less or more ?—A. I could not say. In No. 5, for April, it averages $3.45, and in No. 6, for April, $3.76. I might say that if Mr. Richards or anyone doubts it they can have access to the books.

Mr. RICHARDS.—I would like to see the books.

WITNESS.—This is really an estimate, and I will tell you in every case we have given the miner credit with having a Chinaman for every day's work. As a matter of fact they don't regularly, and we don't know whether they are absent. If a man here work 25 days we will credit his Chinaman with 25 days, though it might only be 20, There might be, on the other hand, a few slight arrears where the men have worked in rock. The only way we have is to take the coal dug and see how many tons the miner has produced actually, and it occasionally arises that he may be working on rock one day or so, but it is a very exceptional case. The other case will balance it ten to one. Of course there are a few who work by the ton, like Mr. Anthony who stated he had a good place. He is paid by the yard for driving in rock. The average for February in No. 4 will be $4.15. Some men are paid by the day. Some of the timbermen have $2.75, some $3.00; fire bosses have $3.25.

Q. The hoisting engineers have not been on strike ?—A. No, one out of the eight came out, but they never struck.

Q. Has anything happened with reference to the hoisting engineers at slope No. 7 ?—A. Yes. There are six white miners underground, two white hoisting engineers and a fireman. A committee of four, I think, waited on Mr. Priest.

Q. It was decided that it was not necessary for the men who were not underground to go out on strike with the union ?—A. They are not working on coal.

Q. So the union gave them permission to work—A. I understood that. As a matter of fact, one of the men said they were not called out, but they might be. There was a committee, I think, of four who waited on Mr. Priest, the man in charge as foreman, and told him that unless he dismissed the hoisting engineers, who were not union men and had refused to join the union at the solicitation of Mr. Barber, that they

would strike. He told them he could not dismiss them and they struck. They went down and put the hoists in order and left. Whether they were called out by one individual, I don't know. Five out of the six told Mr. Priest that they were opposed to going out.

Q. Will you explain the case of the man White who is referred to in Mr. Halliday's evidence, who was dismissed because he was not allowed to say what he thought ?—A. I think it is about two months ago. There was a man named Arthur Warring, and he complained to the foreman that Mr. Walter White had insulted him by calling him a black sheep for working as a timberer for low wages. Warring wanted to fight, so he told me afterwards, and Warring said he was going to quit in consequence. I said I won't allow that, no man has a right to boss the men. I went to White's place, and he denied it. I told him I believed the other story for this reason, that Warring had no object in insulting him, and I told White he could go. Of course that might be a temporary lay-off or permanent. I simply laid him off.

Q. Now reference has been made here to the fact that you bring pressure to bear on men as to how they shall vote ?—A. I do nothing of the kind. There was an election here three years ago, and anyone I approached I simply said I would be pleased to have their votes, but they could vote as they liked. There was no pressure in any manner.

Q. Was any man ever dismissed or laid off since you have been here on account of politics ?—A. Not in any election I have been in ; I have been here five years.

Q. Now as a matter of fact, how many men have you actually dismissed since you have been here in the last five years ?—A. I don't think there has been more than half a dozen in the last four or five years, and that was in every instance for good cause except in one instance, that was in connection with the union. That was in connection with a man named Dunsmuir about three years ago.

Q. What were the circumstances connected with him ?—A. There was a steady unrest at Extension mine at the time they formed a local union there, and there was a man named Maley who was postmaster at Extension, and a man by the name of Wacklin, a Nanaimo man. They came up and stayed here about two weeks. I did not know they were doing anything. As a matter of fact they were getting men to become members of that union, or getting men to consent to form a branch of that union here. They came back a few weeks afterwards and called a meeting at the school house. I lived next to the school house, and I saw who came out. I told a few of the men that I would not have a union in connection with Nanaimo and Extension mines, and when Monday morning came I made it a point to see most of these men myself. I told them they could take their choice, but I would not have a branch of that union here. I said they were preparing for a strike at Extension, and they would call on this place in sympathy. I met Mr. Maley, and said, if you organize these men we will dismiss them. He said, well I am sent up to form a union here, I am simply doing my duty. I said they don't want a union here, and I don't propose to let you force a union on them. He said they told him they did not want a union as long as I was here. He said they were being rightly treated, but that if Falls came they might need one. I told them Falls was not likely to come. Most of the men told me they would tear up the cards and give it up. With the exception of Dunsmuir I told them, all right. He was the leader and I let him go. Mr. Maley deceived me somewhat ; he told me the men were in favour of it.

Q. You have been here how long ?—A. Five years.

Q. Have you had any difficulty in getting along with the men ?—A. No, if outsiders would keep away from here.

Q. Has it been necessary to refer any matters to the head office for adjustment ?—A. No, I never heard of anything, at any rate.

Q. What is your course in dealing with the men in reference to places ?—A. My course is this: if I think a man is a reasonably good miner and doesn't make $3 a

day, I give him $3. I can quote a score of cases where I have, and that is the standard rule. He may be in a place that is deficient, and I pay him what I think is right. In Anthony's case he is getting as high as $4 or $4.50. If I pay him less than $3, if he shows me his statement I immediately give an order for the balance.

Q. A man who is a good miner, you never let him work for less than $3 ?—A. With one exception. An occasion arises sometimes when they don't get a sufficient number of cars. Of course, in that case I don't. Should I do so it is not necessary that the pushers and drivers would work. If a miner does not get cars he raises an objection to the foreman, and I make an investigation, and when they are not receiving cars I complain too. These are rare instances; only in No. 4.

Q. What course do you pursue in reference to paying men when they are laid off from time to time on account of their places being worked out ?—A. To explain that matter fully : We had a fire here two years ago the first of August next, and we were obliged to flood all the places in No. 4, where some 400 men were employed. The mine was about one and a quarter miles down, and we had to flood about three-quarters of a mile of that. Since then we have had some trouble in keeping the men working. Until then very few men were laid off. In other words, I don't propose to keep more men than I can permanently employ.

Q. Was your policy with reference to the union well known here?—A. Yes, I think it was known pretty well.

Q. So the attitude that you and the management assumed with reference to unions was known among the men ?—A. It certainly is no fault of ours if they don't.

Q. You knew this union was being formed ?—A. Yes, and did all I could to prevent it by conversations with the men. I told them that it would be a mistake.

Q. Did you know the influences that were at work, and where they came from ?—A. I knew that there was an agent stationed at practically every hotel. Mr. Higney was here, Mr. Henderson was at the Union Hotel, and Mr. Chambers, who, I think, came directly from the Crow's Nest here, was at New England, and they were canvassing the town. When they got a sufficient number to warrant inviting Mr. Baker they invited him.

Q. Were the majority of the men really in favour of the union ?—A. I believe that nine-tenths of the men were opposed to the union.

Q. How do you account for their going into the union ?—A. They will canvass a man, and if he does not assent they will simply call him names. They will simply tell him he is a 'company's man' to say the least. They really intimidate men : there is no denying it.

Q. And a man has not the moral courage to stand up against that ?—A. Yes, they simply insult them. There was evidence of that in the hall when Mr. Reed got up. That is their policy.

Q. Of course you communicated these facts to Mr. Dunsmuir or the management? —A. I don't think I did before the night of the meeting. I don't think I communicated much.

Q. Did you have communication later ?—A. Yes, not with the head office. First with Mr. Dunsmuir and after that with Mr. Little who was at Victoria.

Q. These were principally by telegram ?—A. Yes.

Q. Code telegram ?—A. Yes.

Q. You have had them looked up ?—A. Yes, the agent said the court would have to order them.

Q. It would take some time to translate them ?—A. Yes.

Q. Could you tell us in a general way what the substance of them would be ?

Mr Richards.—Your Lordship, you informed them these telegrams should be here.

Mr. Bodwell.—Wait a minute. The operator wants to be called here with them. He does not want to give them up without an order.

His Lordship.—He was given a subpœna to bring all the telegrams here.

JOHN MATTHEWS—Cumberland, May 29.

Mr. BODWELL.—I asked him this morning if he had brought ours up and he said no. They are in the a.b.c. code. There is no attempt to keep back anything from the other side or the Commission. I did not know that it would take so long translating them.

HIS LORDSHIP.—You had better get at them.

Mr. BODWELL.—That was the reason I was asking Mr. Matthews now to give a general statement of what they were. I think that is the most convenient course.

WITNESS.—The first telegram to Mr. Dunsmuir was the night of the formation of the union here. I wired that they had organized, the members enrolled being about seventy. Afterwards I wired several times to Mr. Little as to the progress of the union, and advised him what I was doing. I told him when the officers had finished their places I would not put them on again. I laid them off as fast as I could. The places were all finished in the natural order of events.

Q. Did you actually close any place without finishing it ?—A. Only one place I know of. That is Hutchinson's place. It was near the rock.

By His Lordship :

Q. You say you told Mr. Dunsmuir that you would lay these men off on account of their connection with the union ?—A. Yes.

Q. What else did you say in the telegrams ?—A. Hardly anything else; pretty much along that line. The others were practically all reports of what was going on. I told Mr. Little to make sure that Mr. Dunsmuir would not close down the mines, as I could continue to work the mine whether the whites struck or not. I told him we could carry the strike through and win it.

Q. Are the mines working ?—A. Yes, they are producing as much as in one shift before. There are about 700 tons coming out.

By Mr. Bodwell :

Q. Do you find the output per man is greater or less than before the strike ?—A. About the same.

By His Lordship :

Q. How many officers were laid off ?—A. I think about nine.

Q. You laid off all you could lay your hands on ?—A. Yes, as quickly as the place was finished.

Q. The explanation given by Mr. Barber for his discharge was the sole reason ?—A. I would have laid him off every time under the circumstances. I may say I have laid Chinese off for the same cause.

Q. You say you would have laid the officers off anyway ?—A. Yes, because I meant to break up the union. I think it was bad for us and bad for the men.

Q. You had a committee wait on you with a list ?—A. Yes.

Q. That was on Friday May 1, I think ?—A. Yes. In the afternoon about 4.30 there was a committee waited on me, Mr. Barber, Mr. Coe and another. They asked me if I would accept a list of those who were laid off, and put them on in the order in which they were laid off. I said no, that would be a virtual recognition of the union. One of them remarked that Mr. Dunsmuir had refused to recognize the union, and I said I would not. In leaving Barber said, we will have to take action. I said that rests with you. Mr. Haldane says, Mr. Dunsmuir is doing one good thing for the country. I said, what is that? He said, he is taking means fast to help the men take over the mines. I said, that will be a few generations yet. He said, no ; they are joining fast in Nanaimo. I said, I am not surprised at that, at what they do up there. As a matter of fact, all our trouble comes from there.

I am thoroughly convinced, your Lordship, that this is a sympathetic strike. I knew it would come when they went out at Ladysmith, knew it was bound to come

when they went out at Ladysmith, because the officers in these cases always control the men. The men certainly did not want it, but they were asked to strike in sympathy with the officers and of course could not do much else, from their point of view.

By Mr. Rowe :

Q. A very natural thing to do ?—A. Yes.

By His Lordship :

Q. Yes, but there is quite a difference in striking in sympathy with discharged officers here, and striking in sympathy with another crowd of discharged miners at Ladysmith ?—A. Yes, quite a difference.

Q. When were these men laid off ?—A. I could not say exactly. Barber was laid off on April 6. The others followed subsequently, I do not know when.

Q. If the men should come to consider that they were in any way misled over this thing, and agreed to come back, would you take the officers back ?—A. I could not take them all back now. I explained to them that we could not take them back for five or six weeks. We didn't have places at that time.

Q. Have you been getting any more Chinamen in ?—A. There were no Chinamen digging coal in No. 4 at that time.

Q. I understood you to say to Mr. Bodwell that you had been getting out as much coal now as before. Who has been taking the places of these men ?—A. Yes, they are digging now; I misunderstod you. I could not take them back now. I went to the Japanese town and asked them why they were not working. They said they were afraid. They said, we are afraid they will burn the town down. I said, I will have watchmen. I went in both Japanese towns and they called the men together and had a meeting. After that they went to the faces, and made one request, that if they went on, they would be retained in their places until they were finished. That might last in some cases for days and in others for months. I assured them they should remain in their places until they were finished, so I could not give them the work now.

Q. You say for five or six weeks at any rate ?—A. Yes. I may say we expect to clean up a portion of the mine which will make room for quite a number of men.

Q. Is there any good reason why all the men could not be provided with work ?—A. That is the reason, because we have not the places. I had to promise to let the Japanese stay. I may say the Japanese were paid just the same wages before the strike and at the present time with regard to tonnage.

Q. Are there any Chinamen who work places ?—A. Yes, they are paid the same per ton.

Q. What is a day's pay ?—A. They have less. They are paid $1.25 or $1.50, that is pushers and labourers, whereas whites are paid $2.75 and $3 for the same work.

By Mr. Rowe :

Q. How many orientals have you now underground ?—A. I think, off-hand, about 325 or 350.

Q. How many had you before the strike ?—A. Perhaps about 350 or 375 before the strike. We have about the same now, not much difference.

Q. Who are doing the work now ?—A. I don't say there is as much coal coming out. Previously we worked two shifts. Now we work one shift.

Q. So the mines are operating half time ?—A. Yes, for one shift. They are producing fully as much coal for the one shift.

Q. Is it possible to work more than one shift now ?—A. We don't have enough officers at present. It is fire bosses we require, and shot-lighters. They are the men who inspect each shot before it is fired, and see that it is safe. Some of these came out with the miners, and some did not. They did not strike, but came out in sympathy, and therefore we have not a sufficient number to run two shifts. We run two shifts in No. 6 but no others.

JOHN MATTHEWS—Cumberland, May 29.

Q. Why do you object to unions ?—A. I would not object so much to a local union, but I don't think it could live here, and it would not assist them very much. I object to affiliation with outside unions for this reason—not only with Denver, but any others. They may have troubles, and in every case we would be likely called out in sympathy. Supposing there was a strike on the C.P.R. and the Federation approved of the strike. They would refuse to let these mines supply coal to the company. Something might occur to cause a seamen's strike. They might refuse to allow coal to be loaded on ships, and so on.

Q. You understand that a local is supposed to govern itself ?—A. There is no use having a central authority if it has no control. A request from the central authority is practically an order. I would not view it otherwise. With other forces outside there is this influence brought to bear on local men which tends to disrupt the harmonious relations. Take Nanaimo. In that strike in 1889 or 1890 they did the administration. Our men did not know anything about the strike. They met about a mile outside of Wellington. Tully Boyce was president of the Nanaimo union. At that meeting held outside of Wellington they made an immediate demand on the Wellington company, that they have eight hours. We had as a matter of fact, but we made the mine stand to feed the mules, which made about eight and a third of a shift. They wanted recognition of a pit committee and eight hours from bank to bank. They sent three men who did not work for the company to make that request. It was refused, and they came out on strike. Four-fifths of our men were opposed to it.

Q. Did it occur to you that if the men were unionized they would have so much time to think the matter over ?—A. I would not be afraid to deal with a local union. I think there would be no trouble whatever.

Q. Have you ever managed a mine where there was a union ?—A. No.

Q. Have you considered the matter of union operations ?—A. Yes, watched it very closely.

Q. And your judgment is that if the local union is left to itself that it is not a menace to the proprietor's interest to have such a union ?—A. No, I don't think so. They are less likely to be influenced by outsiders.

Q. Take the present situation on this Island. The one mine that has a union is operating, and the mines where there are no unions have shut down. If the men are not organized at all they are more susceptible to outside influence than if they had their own working organization, and certain benefits which give them a vital interest ?—A. We have benefits here in connection with these mines.

Q. You think the local union would die out for want of something to do?—A. Yes.

Q. You proceed on the assumption that its only office is to fight?—A. No. I will give an instance. They had a checkweighman here and paid him to see that the weights were correct. Of course, our checkweighman laid off. They saw they were fairly used, and they did away with their man. I think they are thoroughly satisfied that they are getting fair treatment.

Q. Speaking of the general conduct of the men in relation to grievances of this kind, do you think there is any disturbing influence produced by the local union?—A. Not here. All this influence has been sent from the outside—Baker's influence. At Ladysmith there would have been no strike, and none here, and no union here. That can be conceded by all. It is outside influence that caused the strike. There are a few from Nanaimo, and they came to town and got a certain number to consent to join, and these men got after them, and since that there has been a virtual reign of terror. I can point out in the hall the men who have called men blacklegs, &c.

Q. Is there any reason in the suggestion by the men, that they were restricted in their rights?—A. There is not. There is no place where men have more freedom. It is not true, absolutely not true. Since I came here—since four or five years, only four or five men have been dismissed for cause—about five to seven men in the four and three-quarter years I have been here. I can give you the reasons why in every instance.

Q. Do you recognize a committee of the workers?—A. Never had any occasion for one. If one comes here with a grievance that he is not making $3, I invariably give it to him, and the fact that they told Mr. Maley that they had no cause for grievance, I think proves that. There is no favouritism here, because I would check it if there were. Occasionally, where you want a place to go along quickly, you may select fast workmen who can drive the work fast.

Q. That is what you call narrow work?—A. Yes, the steady men usually get that kind of work. They make probably 50 cents a day more. I think the men will say there is no favouritism.

Q. Your position is, that the men have all the rational advantages that could be enjoyed by a union?—A. Yes, and the fact of the relations being unbroken would prove that, and the fact that no complaint has gone from here.

Q. Doesn't that suppose the idea that a local union would prove harmonious?—A. Yes, I think so.

Q. Do you think this would have happened, if the officers had been left alone?—A. No, they would have struck. I knew they would strike, because they were bound to come out in support of Ladysmith.

Q. Why?—A. Because the officers usually control the men in these matters, and I know they would have gone out.

Q. They say it is the laying-off of their officers?—A. They really have no cause for saying that; they fell out naturally.

By His Lordship :

Q. I think you gave us to understand you laid them off because they were officers?—A. Well, I would not have laid them off otherwise.

By Mr. Rowe :

Q. The men whose cases had not been reached, would have been reached shortly?—A. Well, perhaps not. I discriminated against the active members, those I thought were prolonging the situation, and forcing the men along.

Q. Do you think unions should be incorporated?—A. Yes, I do, and I think that legislation should provide that the mine owner should give at least three months' notice before he closes down, without there is some real cause for it, and the men should give due notice. That would virtually destroy the sympathetic strike, I think.

Q. Is it not your judgment that a mine owner with a good trade agreement is in a safer position when it comes to a strike?—A. I think such an agreement with a local union, with a provision for one or three months' notice to be given before any strike would be a good thing, provided they were incorporated.

Q. You would favour incorporation?—A. Yes. These locals are not now in a position to live up to their contracts. Take John Mitchell in the coal strike of three years ago. He did not hesitate to call out those who had contracts in sympathy with those whom he called out. In the steel strike President Schaffer did the same, but one firm in Chicago refused to come out. The locals have not the power to say they will or will not.

By His Lordship :

Q. In reference to the settlement of industrial disputes, Mr. Matthews, have you formed any opinion as to what should be done in that matter ?—A. Yes, I have thought a great deal over that, and it is hard to determine upon.

Q. Here is the situation on this island : the most important industry is tied up, and a hundred different industries are suffering, and there is nobody who has any power to intervene looking for a settlement ?—A. I think conciliation is the only means. You could have compulsory arbitration, but that would not be fair to the employers. If it went against the men they would get up and go.

Q. You cannot enforce the award ?—A. No, I think public sentiment would have something to do in the way of settlement.

Q. Of course, I suppose there is no means of settlement where the question of recognition of a union comes up ?—A. No, it is a difficult position for a conciliation board. There is no place to start; the issue is definite.

Q. Supposing these men would give individual contracts with the company for a term of years, leaving the question of a union out entirely, would the company feel safe in accepting that arrangement ?—A. Yes, I would accept that arrangement.

Q. The point is, if you would agree with these men to make individual contracts, without reference to whether they are members of this organization or not, whether they make contracts with you as individuals and not as a union ?—A. Yes, I never ask the men whether they are union or non-union.

Q. You have insisted on individual contracts—would that exclude the officers ?—A. It says nothing as to that, so that must include the officers.

Q. You have had people making inquiry; would you mind saying what the terms of the contract are ?—A. The same terms as they are working under ; that they were when they left.

Q. No discrimination to be exercised ?—A. No, cannot be according to that notice.

Q. Would you include the officers ?—A. Yes, under that notice.

Q. First come first served ?—A. I cannot consider it otherwise.

By Mr. Rowe :

Q. So the question is that there is work waiting for every man who will sign a contract to work for the company ?—A. Yes.

By His Lordship :

Q. For how long ?—A. For two years.

Q. For less if they wish ?—A. Well, for a year. We intended having two or three, the longer the better. I think, when you look over the statement, you will be satisfied the prices are good.

Q. Then, I understand the position to be this—that you will not recognize a committee of the union ?—A. No.

Q. And that you will deal with the men as individuals ?—A. Yes, or a committee representing the men. If the men send a committee at any time we will deal with them over any grievance.

Q. I am not yet clear about these men being laid off—how many ?—A. Nine altogether. Of course there were more who were not officers.

Q. How many ?—A. About fifteen or sixteen. Some of these were taken back, the officers were not. They got back as soon as we had places for them. They fell out naturally.

Q. Do you want us to infer that it was because these men were officers ?—A. I said they fell out naturally, and I did not intend to put them back.

Q. But you said, and you wanted us to know that you would not take them back on the ground that they were officers of the union ?—A. Yes.

Q. Now the position is that they would be treated the same as anybody else if they came along and asked for contracts ?—A. Yes, individually.

Q. So you have changed your view ?—A. No, so long as they are in connection with the union we could not.

Q. You say you will take them back on signing an individual contract ?—A. With the understanding that they will drop the union or don't intrude it upon us.

Q. You make that exceptional in the case of these men who are officers ?—A. Well, not more than the others.

Q. If a man were asking for work to get that individual contract he would be required to drop his connection with the union ?—A. With the Federation.

JOHN MATTHEWS—Cumberland, May 29.

Q. How would you secure that? He might drop it for a week and secure it afterwards?—A. I find men pretty honourable.

Q. Still he might drop it and then join the union again?—A. Well, as long as he did not intrude it on me.

By Mr. Rowe:

Q. It seems to me that if a man makes individual contracts in his own person, it does not matter to what union he belongs any more than to what society or church, or anything?—A. As long as they are members of that Federation, notwithstanding that individual contract they may be called out. I claim they don't have full autonomy when they belong to an affiliated union. They would have to go out in sympathetic strike. That is why I object.

By His Lordship:

Q. If any one of these men came to you and wanted to sign an individual contract, are you going to ask them whether they are members of the union?—A. We have not in the past.

Q. Never mind the past; we are dealing with this notice you have put up. We want to understand the true position. Supposing anyone of these men came back, officer or member and says, I want a contract, are you going to ask him if he is a member of the union?—A. I don't think I would; I have not weighed that position.

Q. Because you said you did not care so long as they did not intrude the union on you?—A. Yes, but I may say I am opposed to affiliation with outside unions for the reasons I have given.

Q. If they sign a contract for two or three years that means they won't come out?—A. No, that is the reason I object.

By Mr. Rowe:

Q. When a man makes a contract in his own person, don't you think he feels more bound by it, than if made for him in some way?—A. I would think so.

Mr. Bodwell.—There might be a difficulty in enforcing the contracts. Some of these men who have individual contracts might be levied in damages. A great many might have nothing.

Mr. Rowe.—When a man breaks a contract he damages himself more than anybody else.

Mr. Bodwell.—It depends on who it is. They cannot be held responsible in damages, and, as Mr. Matthews says, notwithstanding individual contracts the union might be still ordered out.

His Lordship.—Mr. Matthews says the relations are so harmonious, and if he gets a three years contract he need not fear the Western Federation.

Mr. Rowe.—It seems to me that a man's life depends upon getting work, and if he breaks his contract——

Mr. Bodwell.—There are other places. They only have to go a few miles to Nanaimo or a little farther across the Sound.

Q. I presume there is not much difficulty in getting work?—A. I may say I don't think I would ask them the question. I would not care personally whether they belonged to a union or not, as long as they did not intrude the union on me. That would apply to all.

By His Lordship:

Q. If that is so, Mr. Matthews, if you simply say nothing, but take each man as he comes forward, it seems to me the men have really nothing more to ask?—A. That is all. I may say, as far as the leaders are concerned, they are all good workers.

JOHN MATTHEWS—Cumberland, May 29.

Mr. ROWE.—And good talkers.

HIS LORDSHIP.—What is the difficulty now, Mr. Richards?

Mr. RICHARDS.—I could not see any difficulty. If any member would go there he would still be a member.

HIS LORDSHIP.—I presume if you signed a contract for three years you would stick to your contract? Would you regard your contract as paramount to your obligation to the union, or would you suffer yourself to be called out, contract or no contract?

Mr. RICHARDS.—You see now we have it in our own hands whether we will be called out or not.

HIS LORDSHIP.—Yes, but it was given in evidence by Mr. Baker that if one local union requested one local union out in order to help another local union, and the general executive made that request, that the second union would be expected to act on that request, and would be regarded as unfair if they did not?

Mr. RICHARDS.—They have to have a three-quarters majority of the votes before they act on it. That is the position we stand in on the constitution suppose we are called on sympathetic strike. We can decide ourselves.

HIS LORDSHIP.—Mr. Baker said if they requested you to go out on strike and you did not, you would be regarded as unfair men.

Mr. RICHARDS.—That is the understanding of Baker, but according to the constitution we would not be so regarded.

(Mr. Peacey produces telegrams sent by company, and received by company, relating to this present strike. Exhibit 18.)

FRANCIS DEAN LITTLE, sworn.

Mr. BODWELL.—I have no questions to ask Mr. Little. I simply bring him here, if the Commission wish to have information from him.

HIS LORDSHIP.—You might ask him what he is prepared to do in this matter.

Q. Will you state the view of the company at the present time?—A. You have it pretty clearly by Mr. Matthews. So long as they don't ask for the recognition of the Western Federation, we will give individual contracts with everyone. We cannot take everybody. We have no room for all.

Q. Could you appoint a time when they will all be taken back?—A. No, it is a question of pumping water.

By Mr. Bodwell:

Q. But as fast as in the ordinary course of business the places become vacant, you will take them back, on signing individual contracts?—A. Yes.

By Mr. Rowe:

Q. Have you a copy of that contract?—A. Not here; it is the same contract. The price is not changed in any way.

Q. Was there an individual contract before?—A. No, no written contract.

Q. Have you a proposed contract now?—A. Yes, we want to have it for two years.

By Mr. Bodwell:

Q. These telegrams that have been put in—what code is used?—A. The a b c code.

Q. Without any number? Just the ordinary word?—A. We have some of our own.

Q. But is it just the a b c code, no number added or subtracted?—A. No, just the straight code.

By His Lordship:

Q. I understand, Mr. Matthews, that if the officers come first, you will take them on first?—A. I have no objection to that. There will be no discrimination, if they don't intrude the union.

Q. If the men send their officers first, they will be sure of work?—A. Yes. It is understood, of course, that they must not force recognition of the union in any way. We won't receive a deputation from the union.

By His Lordship:

Q. But what the men are probably considering is, supposing the officers do go to you, and you turn them aside and take some of the men instead. What we want to know is, whether the company is prepared to take the men in the order in which they come?—A. Yes.

By Mr. Rowe:

Q. Recognition of the union involves the recognition of the pit committee?—A. Yes, as long as that is not asked for.

By His Lordship:

Q. The question is, whether these men who have been officers of the union come forward as individuals, in no way mentioning the union, they will get work?—A. Yes.

Q. They won't be left out in the cold, and the men taken?—A. No.

His Lordship.—As far as I am concerned, speaking as one of the Commissioners, I don't see where there is any difficulty at all. As I understand it, the men went out because their officers were discharged or discriminated against. If these officers can get contracts the way the men can get them, as they come, the cause of war is gone.

Mr. Richards.—That would exclude the union.

His Lordship.—In what way? You don't mean to say you are going to thrust a union on these people? If you can get contracts, and officers are not discriminated against simply because they are officers, you have got all, according to the evidence, that you struck for.

Mr. Richards.—And recognition of the union. That was the reason they were discharged—because they were forming a union here.

Mr. Rowe.—Mr. Barber said they were not striking for a union contract.

Mr. Richards.—He might have misunderstood the question.

Q. Mr. Little, could we have a union committee go and see you?—A. No, not a union committee.

Q. Supposing there was a union in town, and the members of that union came to you individually as a committee?—A. Yes, I would listen to them. As a committee from the men, not from the union.

Q. The fact is, you will not recognize a union in any shape or form?—A. No.

Q. Would you discriminate against them if they were members of the union?—A. No. We never asked the men yet whether they belonged to a union.

Q. You found out when you laid them off?—A. Not before they came here. There were lots of union men before they came here.

Q. Well, it is the union in the place?—A. Yes, that we don't propose to treat with. We want this to be a non-union town.

By Mr. Hutchinson:

Q. How can it be a non-union town?—A. I mean a non-union works.

Mr. MATTHEWS.—I understand this is what I am prepared to do. They can meet and have their union as long as they don't send a union committee to me as a union committee. I think the men know when I promise that I will live up to my promise. The contract will prevent any trouble in the near future.

Mr. RICHARDS.—The endeavour of the union is to overcome all friction or anything between employers, to get as much as they can and be on peaceable terms.

Mr. MATTHEWS.—There will be no friction.

HIS LORDSHIP.—Well, you can meet the management with a committee, provided you don't have a union committee, or as a union, but at the same time you could have a grievance and appoint a committee just the same as if you were not a union..

Mr. HUTCHINSON.—How would it be if that was not accepted?

HIS LORDSHIP.—I understand the management is prepared to receive a committee from men as a body of men.

Mr. HUTCHINSON.—Suppose their grievances were not supported, you would have to settle those as you have in the past.

Mr. ROWE.—What would be the case in the union; how would you settle it, then?

Mr. HUTCHINSON.—You have it before you to-day.

Mr. ROWE.—You would not do that if you had individual contracts.

Mr. HUTCHINSON.—That is the point I want cleared up now. Should you have individual contracts and went with any grievance, the contract is binding.

Mr. BODWELL.—You could not have a grievance unless the company were not living up to the contract.

Mr. RICHARDS.—What remedy would we have against the company, if they did not live up to the contract?

Mr. BODWELL.—You would have legal action, the right to sue the company.

HIS LORDSHIP.—The company want good workmen, and have plenty of coal to dig, and there is no reason to suppose that they want to get rid of good men.

Mr. HUTCHINSON.—Your Honour, in regard to good workmen, they must have good workmen because they must have a certificate of competency before they go in.

HIS LORDSHIP.—I don't see where the fear of discrimination comes in. Mr. Matthews says he has no quarrel with the men as workmen.

Mr. RICHARDS.—Well, there is a little trouble about the wages I would like fixed up.

HIS LORDSHIP.—You had better have an interview with Mr. Matthews and thrash all that out.

Mr. ROWE.—Does not the contract cover the wage question ?

Mr. RICHARDS.—He says it will be similar to the present arrangement.

Mr. LITTLE.—Yes.

Mr. RICHARDS.—I understand that under the present system there are men who are underpaid.

Mr. MATTHEWS.—I think Mr. Richards will acknowledge that they are men who are much under the average workmen, and there are not more than four or six in the whole mine that are below $3 a day. I think I may say that there are men who run well over that, men who have not dug coal and are not competent to earn that much, men who have been digging coal for twelve months.

Mr. ROWE.—In any event you are paying these men that wage because you think they are earning it?

Mr. MATTHEWS.—Perhaps men may be working on similar work, one making $2.50, one $4, one $4.50—men making big wages on the same work, and with the same chances. These men don't ask it. You cannot give all the men the same wages. There is no ground in that respect.

CUMBERLAND, May 30, 1903.

HIS LORDSHIP.—Have you any more evidence, Mr. Richards, that you want to call?

Mr. RICHARDS.—There was Mr. Hall we wanted to give a little evidence. Would you like to hear anything about our decision?

HIS LORDSHIP.—Yes, very much.

Mr. RICHARDS.—That proposition was put before the meeting last night, and was rejected. They would not bind themselves to individual contracts at all. They could not see their way clear at all.

HIS LORDSHIP.—They did not want to bind themselves to individual contracts?

Mr. ROWE.—Of no kind?

Mr. RICHARDS.—Of no kind. It is somewhat similar to the old iron-clad system, binding a man for a year, so that he could hardly do anything.

HIS LORDSHIP.—There would be the same difficulty about signing any contract.

Mr. RICHARDS.—In a contract with the union they would have a better chance than one with individuals.

HIS LORDSHIP.—The difficulty is, the union is not incorporated, and there would be no one to enforce the contract against the men. The company would be bound, but the men would not.

Mr. RICHARDS.—They reject the contract and stand by the Federation.

HIS LORDSHIP.—That means you are determined to look for recognition, and to stand by the Federation.

Mr. ROWE.—Did the men know that the workmen at Ladysmith were prepared to sign this agreement?

Mr. RICHARDS.—I could not say.

Mr. HUTCHINSON.—All those who were in the hall yesterday knew.

HIS LORDSHIP.—The men at Ladysmith, last Saturday, were prepared to sign individual agreements.

Mr. RICHARDS.—The fact of the matter is, they don't care to take an individual contract.

Mr. ROWE.—Of course, it is left for the individual to do as he pleases.

HIS LORDSHIP.—You are putting yourselves in rather a difficult position. Nearly everybody admits the employer has the right to employ non-union men, and if you say you won't enter into employment except as a union, you are virtually forcing the employer to introduce non-union men. If there is a certain notice agreed upon, there is no objection to that. That is the arrangement of the Nanaimo union.

Mr. RICHARDS.—That is, the union fixes up the contract.

HIS LORDSHIP.—Yes, but there is thirty days' notice required.

Mr. RICHARDS.—You see, it is left between the miner and the manager. He may take one miner and make a contract different with another man.

Mr. ROWE.—How?

Mr. RICHARDS.—It is stated here. There is different kinds of work. There is narrow work—development work, and that is left between the miner and the manager.

HIS LORDSHIP.—That is the position that has always been maintained by the company: that they won't enter into contracts with the union, and the men practically all admit that the employer has a right to employ non-union men. If they have the right, you are fighting for a principle that you cannot maintain.

Mr. Rowe.—Would the union, as a union, be prepared to enter into a contract having these terms, supposing that proposition was made to the union?

His Lordship.—There is no object in going into that, because the management are determined not to recognize the union.

Mr. Rowe.—I wanted to know whether the men would be prepared to work for these wages, and not individually.

Mr. Richards.—That is about the standing of the union, as far as I can learn, that they are willing to take a contract.

His Lordship.—The ground of your difficulty now is, not that you object to the wages or terms proposed, but that you want this contract entered into with you collectively, and not individually. Don't you see that there is no way of enforcing this against you? The thing is a jug-handled proposition, and you cannot expect any man to accept that contract, when it cannot be enforced against the union. As I understand it, the company are not trying to force the men into what you call an iron-clad contract for a certain length of time, that is to say, compelling you to enter into an agreement for two years.

Mr. Matthews.—I would think that a man could quit just as he quits now, and get his pay whenever he leaves; but if they choose to go out in numbers, they must give us a month's notice.

Mr. Rowe.—What number would you put?

Mr. Matthews.—Say one-third of the members. Just enough to prevent a strike, in other words, without due notice.

His Lordship.—There can be no objection in that case. The Nanaimo men give thirty days' notice.

Mr. Richards.—Certainly, if the Federation would be recognized.

Mr. Bodwell.—The Federation won't be recognized.

Mr. Richards.—Certainly, then, I think the matter will have to stand.

His Lordship.—I don't see how you can blame the company if they go to work and put in non-union men.

Mr. Richards.—The stand is now, have we a right to have a union?

His Lordship.—That is a different thing. The company don't care two straws whether you belong to a union or not, but they are not going to enter into a contract with you as a union.

Mr. Richards.—The position of the men is, they want a union.

His Lordship.—Well, you have it, but the company are not going to recognize it.

Mr. Richards.—Well, the Western Federation calls for it to be recognized.

Mr Rowe.—It seems to me that the men ought to take such action in which they will be justified before the public. It is not reasonable to demand that the managers shall recognize an institution, but they are prepared to pay the wages that this institution wants for its men, and certainly the public would not justify the men in interfering with other men.

His Lordship.—Don't you see there are two insuperable difficulties. The one is that it is a jug-handled proposition—there is no way of enforcing this against you as a union. You are not incorporated. The second is, that in the event of any trouble he has to deal with Denver as well as yourselves. No member of the public will say for a moment that that is a right which should be forced on them. And if you are going to succeed in the battle the first thing you have to do is to get the public on your side. The moment the public understand the real situation, that moment you are going to be lost to the public.

Mr. Rowe.—I think the men ought to take into consideration the recent strike at Montreal. The management said they would not object to the men belonging to the union, but would not enter into a contract with them as a union.

His Lordship.—There is only one case in which a company has recognized the union, and that was at Fernie and Michel, and I understand that word has arrived to-day that the men have surrendered their charters. The trouble was fought out in Montreal, and the men were defeated, and they were a much larger body of men than you could ever be.

Mr. Richards.—Well, the proposition is that they want to stand by the Federation.

His Lordship.—As I say, the first thing, if you want to succeed, is to get the public on your side, and the public must see that your proposition is a fair one, and it is not a fair thing to enter into a contract with an unincorporated body for the reason that it cannot be enforced, and it is not a fair thing that the employer should have his contracts submitted to the people at Denver.

Mr. Richards.—If the local takes a contract they merely look for them to see if it is constitutional. We take it back to England now if we don't like it here.

Mr. Rowe.—Here is the case : the management for some reason or other don't choose to deal with the union. You men come here and say, we want work as members of the Federation, and the management won't give it to you. Can the men make any objection to that?

Mr. Richards.—It is for them to say.

His Lordship.—It is in their right to make objection. The Western Federation is more or less a public body, and has to depend upon public sentiment. If that sentiment sets in against it it could not continue to exist. It seems to me the question of the Federation is how to accomplish their work without going contrary to public opinion, and at the same time acquire for its members reasonable conditions of wages and labour. I don't know that the management here are insisting on the men signing contracts of any particular kind, but I understand that the terms of these agreements are the same upon which the men have been working heretofore. Is that correct?

Mr. Richards.—Yes, the same conditions, excepting that they will be bound to stay to those conditions.

Mr. Rowe.—Bound to stay as long as they want to.

Mr. Richards.—As long as the contract calls for. You see they have found in the past there are some things not satisfactory——

Mr. Rowe.—Are there any other conditions to be included in the agreement?

Mr. Richards.—They cannot bind themselves to sign any agreement with the union.

His Lordship.—The whole point in this fight is, that it has been fought out in Montreal and other places, and I think, if you consider the whole matter further, if you once recognize the right of an employer to employ non-union labour, that cuts the ground from under your feet. You cannot force him into a contract with a union, especially an unincorporated union.

Mr. Richards.—Well, I suppose the position remains the same.

Mr. Rowe.—You say the men have a right to form a union?

Mr. Richards.—Yes.

Mr. Rowe.—Has an employer the right to say he won't engage a union?

His Lordship.—That is the point at issue.

Mr. Rowe.—Has an employer the right to say he won't make a contract with a union?

Mr. Richards.—That is the question.

His Lordship.—If you admit that a non-union man has a right to make a living, you must admit the employer has a right to employ him.

Mr. Richards.—It would better his chances to join the union.

His Lordship.—That is for him to decide.

Mr. Rowe.—Has an employer the right to engage anybody—to close his works down?

Mr. Richards.—Under present conditions.

Mr. Rowe.—We are dealing with present conditions—not theories. I should judge that the men's complaint in the first instance was that the management discriminated against officers of the union. Now, the position they take is they will not discriminate, so one item has been removed. The second item is, they want recognition of the union. The company say they will not deal with the union as a body. They agreed to give you the wages you required in all respects, except that they will deal with you as individuals and not collectively. That is the position up to date. They will give you the wages, conditions of labour, terms of agreement you want as their workmen, but they will not make a contract with the Western Federation of Miners. It seems to me they have just as much right to do this as they have just as much right to do business with other corporations. The public could not insist that they could not do business with a corporation they don't want to do business with, that the public will respect your rights just the same as they would with any incorporated body. If the men had been suffering injustice as to terms of wages or conditions of labour, and found that it would be safe for them to do business in that capacity as a union, the public might say that the men were wise in taking that position. But when it comes out that you get the wages and other conditions you want, but that you stand out on the technicality that you simply want recognition of the union, I judge that the public will not be favourable.

Mr. Richards.—The management could say to the individual, if he did not like it, he could get.

His Lordship.—That is the case in life generally. If I have some land and want a thousand dollars for it, and you want to buy it for seven hundred, you cannot make me sell it for seven hundred.

Mr. Richards.—Suppose it is a case of yardage. He says, I will give you $2.75, and he wants $3, and he says you won't get it. You will have to leave. That is dealing with the individual. The union is formed so that they can deal collectively.

His Lordship.—There is no complaint against the wages. This question of the recognition of the union is the question. It is not a wage strike. You are going to injure yourselves with the public.

Mr. Richards.—How can we talk about wages until we have a union?

His Lordship.—Then, you expect to hold up the management, when you have a union?

Mr. Richards.—Well, we can't tell what might happen with a union.

His Lordship.—Your position would be much stronger with the public, if you were being ground down on the matter of wages, but not in the matter of recognition of the union.

Mr. Richards.—Your Honour, I would like to have these telegrams all translated, so that I can get through them all. There are just a few translated, the rest are in cipher.

His Lordship.—I understood they were to be translated.

Mr. Richards.—There are only just a few. We could arrange that without taking your time up.

Mr. Hutchinson.—Your Honour, in regard to the telegrams, Mr. Matthews could give his word to you that they would be translated, and they could be put into the hands of the local operator, Mr. Peacey.

Mr. Richards.—We would like to know a little about the telegraph system the company have.

His Lordship.—I understand it is under Dominion government service.

Mr. RICHARDS.—Yes, but the company have a telegraph office, and if we send anything, it goes over the company's wire.

HIS LORDSHIP.—That is a matter which we, as Commissioners, would not have anything to do with. The best thing you can do is to pass that up to the department at Ottawa.

Mr. RICHARDS.—I thought it might slip into your report, and come out in that way.

Mr. ROWE.—It is quite a common thing for large hotels and public offices to have 'lines. It does not follow that everything is repeated. It is the option of the office as to whether that happens or not.

Mr. RICHARDS.—It is possible that it may be.

Mr. HUTCHINSON.—Would your Honour mind asking the operator if it were possible to send a message without the company knowing of it?

Mr. PEACEY.—Regarding the sending of messages, the line first goes through the company's office. They can hear every message sent or received.

Mr. ROWE.—You have no power of shutting them out?

Mr. PEACEY.—No, sir.

HIS LORDSHIP.—You had better file a complaint at Ottawa.

Mr. HALLIDAY.—I would like to ask Mr. Rowe—he said we would not be discriminated against. That is a vital point with us as individuals. What guarantee would we have of that, Mr. Rowe?

Mr. ROWE.—The guarantee in your contract.

HIS LORDSHIP.—Mr. Matthews has also pledged his word that there won't be anything of that kind.

Mr. RICHARDS.—Yes, but Mr. Matthews won't always be in that position.

HIS LORDSHIP.—I don't think the company can afford to oppose public opinion. If it gets to be known that the company is doing that kind of thing, and you have public opinion on your side, they won't want to challenge you. Public opinion is going to do a great deal in this case. If the company do that, they will get into such bad odour all over the country that they will be very glad to quit it.

Mr. RICHARDS.—Public sympathy might settle on our side, but it can't settle the side of the management. Mr. Dunsmuir states outright that he won't do anything.

HIS LORDSHIP.—Well, we went out because the men were weeded out.

Mr. RICHARDS.—If they weed us out, we will be out again.

HIS LORDSHIP.—I don't think the company want that any more than you.

Mr. ROWE.—Why would they agree to this arrangement, if they did?

HIS LORDSHIP.—The company want a guarantee they won't be on strike, and it is as good a guarantee as they could have.

Mr. RICHARDS.—If they leave us alone and don't discriminate against us, that will do. That will be as good a guarantee as they want.

HIS LORDSHIP.—They will have had their lesson, and you will have had yours. You will both respect each other after this.

(Mr. Matthews agrees to translate the telegrams.)

Mr. BODWELL.—I arranged with Mr. Richards that I would translate a certain number of them, so that they could see the character of the telegrams. I have arranged now to hand the telegrams back to the local operator. We will translate them all, and they can have access to them.

HIS LORDSHIP.—They had better be left with the local operator. That is satisfactory?

Mr. RICHARDS.—Yes.

Rev. L. W. HALL, recalled.

Mr. RICHARDS.—Your Lordship, Mr. Hall mentioned an affair here about a Chinaman being killed and an inquest that was held. Several men would like to hear something further on that. We would like to have a few questions on it.

By His Lordship :

Q. What do you say about that affair ?—A. Well, I—I think I was asked—the question, I think, came with regard to—in regard to the repressive influences that were paramount here in my experience, and I named this as a case where fear seemed to me and to others, to have governed the jury in its findings, as they seemed to be altogether contrary to the evidence given. Not only to me, but I had a friend, a barrister up in Vancouver, and I asked him to come up and listen to the evidence, and his opinion was the same. If you agree for me to go into the matter, I will give you the grounds——

Q. That is a case where a miner was killed ?—A. Yes.

Q. By explosion ?—A. No. He was in the act of pushing a car loaded with cogs, I think they call it, and the car was piled up, quite full—it was at night—my attention was called to the case in this way——

Q. How was the Chinaman killed ?—A. The driver of the engine thought he heard the signal, and the man was pushing the car on—the man himself I suppose—of course no one can know now—thought the cage was there, and he pushed it on, and the cage had started down, and he went with the car and was killed. He dropped to the bottom of the shaft, and the jury exonerated everybody in connection with it.

Q. You thought, having regard to the evidence, that the verdict was an unfair one ?—A. That was my judgment. My interest in the case came in this way : the Chinese were very much excited about the man being killed, and rightly so. They wanted me—one of the men asked me—he happened to be one of the boys that was going to school for a number of years, and when they had trouble they usually came to me. I thought I would see Mr. Matthews with regard to it. I asked the question, was there any light by which this man was able to see where the cage was—whether it was up or not, and I was told, no. That immediately interested me, and I thought I would ask Mr. Matthews if there was a light, so I asked him and he told me there was a light. I then came up again to town, and I heard further that this engineer had previously, while driving an engine in his shaft, a Chinaman was killed previously, so the Chinamen in their ignorance put both together—thought perhaps this Chinaman was killed deliberately. That was the reason I asked this lawyer to come up and listen to the evidence. I went up to the coroner's jury, and I listened very attentively to the evidence being given, and it seemed to me that the questions asked did not bring forth the facts of the case, and I waited for the inspector, and he asked three or four simple questions.

Q. If you thought an injury was being done, and the man was deliberately killed by the fault of the engineer, why didn't you lay it before the authorities ?—A. I asked——

Q. How long ago was this—about a year ago ?—A. About a year ago.

Q. The finding of the coroner's jury does not amount to anything.—A. I asked the judge if I might examine the witness, and he told me I might. I asked the witness these three facts : first, that there was no light, second, no bell, no light or bell to signal with. That he could not tell in the noise and the dark the voice heard. I also drew out that the safety gate that ought to be shut according to law, I believe the moment the cage goes down—I found from his evidence that these three things were neglected. I also learned during my examination—Mr. Matthews would ask the witness on the stand questions, and these questions were suggestive questions. He would say ' Are you sure you could not see,' and he would tell the witness he could

see and the leading direction of the questions led me to believe that it was not altogether fair.

Q. Didn't this barrister tell you the proper way was by laying a complaint before the authorities?—A. He said 'Mr. Hall, it is no use, these men are being—' I had spoken nothing about the conditions of this town—he says 'These men are afraid to do their duty, they seem to be so—' I have forgotten just the expression he used—he meant that they were afraid to do their duty as citizens, and that is my thought with regard to that same thing. My line of thought was that the company—I don't say they do it with malice or intent—I say that the present system has a tendency to make every man think—rightly or wrongly I won't say—if he comes in conflict with any of the company, that that means for him discharge, which in some cases is a serious matter. That is not only my feeling, but it is the feeling of many of the people of this town.

His Lordship.—There is a very simple remedy. There was no necessity for it resting with the coroner's jury. If you thought any injustice was being done you could have laid an information before a justice of the peace, had a primary investigation and had the man sent up for trial, or if you found the justice of the peace was being intimidated by any local influence, you could have referred the matter to the Attorney General at Victoria, and if you found there that the Attorney General would not act, you could have gone before the grand jury at Nanaimo, and taken it there yourself.

By Mr. Bodwell:

Q. Who was the barrister you had over?—A. He was up on a case—he was one of Mr. Wilson's partners, I think.

Q. Was it Mr. Senkler?—A. No.

Q. Mr. Bloomfield?—A. Yes, I think that is the name.

Q. You asked him to come?—A. Yes.

Q. And he did not advise you there was anything to be done?—A. He told me he thought it was hopeless.

Q. Don't you think that is rather ridiculous? The Chief Justice has just pointed out what the course of law was, and you tell us that he says there was no remedy?

His Lordship.—All I can say is that that barrister did not know his business.

Witness.—That is what he told me. If I had known that remedy I would have undoubtedly have gone along with it, but I thought—the jury's verdict was this—they should have recommended the company to have a bell, which the law provides they must have.

By Mr. Bodwell:

Q. Did not the engineer swear that he heard the signal to hoist the cage?—A. No.

Q. He heard him shout all right?—A. He said he heard a voice, but could not swear definitely.

Q. The evidence was not contradicted?—A. Well, granted that——

Q. Was that not the reason the lawyer told you the case was hopeless—the engineer said he heard the signal and hoisted the cage? His evidence was not contradicted, and you don't mean to say that it was not possible for the Chinaman to have been careless himself?—A. I mean to say this and nothing more, that this man said that had there been a light there that man would not have been killed.

Q. Who said that?—A. The witness, the engineer.

Q. What is his name?—A. You can get the whole evidence, I believe, of the coroner's jury.

Q. And you say the engineer said if there was a light there the man would not have been killed?—A. Yes. My point is that the company had not made ordinary precautions.

By His Lordship :

Q. Where was the injustice?—A. That the coroner's jury brought in this verdict, that the verdict was injust in so far as they brought it in, saying death was accidental and simply that.

Q. Do you blame the company?—A. Undoubtedly.

Q. Why didn't you have them indicted before the grand jury?—A. I took what he told me——

By Mr. Bodwell :

Q. What do you think about the coroner's jury, they were sworn to return a true verdict? Who was the foreman on the coroner's jury?—A. Mr. Coombs.

Q. And you say these men were so intimidated by the company that they would go against their oath and return a verdict not in accordance with the evidence?—A. No. I mean this : that this repressive influence had the tendency to make men temporize with verdicts.

Q. Did the coroner's jury give a verdict according to the evidence?—A. According to my opinion they did not.

Q. You make this statement : that these men were so intimidated, were so repressed by the action of the company here, that they would not give a verdict according to their oath?—A. No, I don't.

Q. What do you say?—A. That it has been a factor, and was a factor in their judgment.

By His Lordship :

Q. Had it been a white man do you think the verdict would have been the same, or different? If you thought that, you should have seen that the company were prosecuted in the manner I have stated. You could have had it brought before a justice of the peace, before the Attorney General——?—A. Can it be done now?

Q. I pointed out the course that could be adopted. You told us you thought that was the wrong verdict, and contrary to the evidence, and yet you did not take any steps to have the matter brought to the attention of the authorities. Your duty was to have brought it to the notice of the authorities if you thought in that way, and you did not do it?—A. I would have done it, if I thought it was a workable proposition.

Q. You didn't try?—A. No.

Q. You and everybody else must understand that there is only one criminal law in this country. The Chinaman is protected by the law just the same as others. You did not follow up the remedies that the law gives you. Your last resort could have been to the press?—A. I will grant you that. I will take your censure. It does not alter my view that the conditions that pertain here are at all altered by your censure.

Q. If you had such an interest in these Chinese, and thought that a wrong had been done through the intimidation of the company, without attempting in some way to bring the matter to the attention of the authorities, then you put yourself in a position to invite censure.

By Mr. Richards :

Q. Do you mean with the conditions prevailing then that it would be necessary to have a union formed, so that men could give some expression to their feelings?—A. That is my thought.

Q. The whole thing is freedom of speech?—A. Yes.

Q. Do you think that things were in such a way that these men might lose their jobs by giving their verdict contrary to the company?—A. As a Christian I don't wish to hold that thought at all. I came here unwillingly to give my evidence. I simply group a certain number of facts before me, these matters are laid before you and you take them for what they are worth.

His Lordship.—All the Chinese have to do is to get a small fund, secure the services of a good lawyer, and if he cannot bring it to justice then all I can say is that lawyer does not know his business.

Mr. Richards.—Mr. Hall has stated this as an istance that there is no freedom of speech here.

By Mr. Rowe :

Q. In view of the fact, Mr. Hall, that only four or five men have been dismissed by the company for any cause, don't you think it would appear that the fear of being dismissed was an unreasonable one?—A. You will excuse me from answering that question. I am answering a number of questions that are prejudicing me. I can answer a number of questions here——

Mr. Bodwell.—I wish you would, and get down to business !

By Mr. Rowe :

Q. The reason I ask is you say you don't know whether that feeling was justified or not?—A. I don't think the intensity of the feeling is justified, but the feeling in the minds of these people—you must take them as they are—and they carry it further than it would be by a logical or by a fair-minded man be carried, and I don't suppose for a moment that Mr. Matthews or Mr. Little, or the heads of this company are dishonourable men, and in my relations I find them very good fellows altogether, those are my personal relations with them, and it hurts me to say things I have done here.

Mr. Rowe.—One of our purposes, I think, is to remove false impressions, and if it could be pointed out that that feeling on the part of the men is an unreasonable one, it would be accomplishing a good result.

By Mr. Richards :

Q. You have been here quite a while, Mr. Hall ?—A. Yes, I have been here nine years.

Q. When Mr. Dunsmuir was elected, was it prior to Mr. Matthews taking the management over here ?—A. Yes.

Q. What occurred after Mr. Dunsmuir was elected, in connection with freedom of speech ? Were there not a lot of men discharged or laid off ?—A. Yes, there were a number of men laid off.

Q. Don't you think it would frighten the men here after these five years ?—A. I think there is no question.

Mr. Richards.—They learned by experience it would not do for them to talk out.

His Lordship.—What were they talking about ?

Mr. Richards.—Politics.

Mr. Bodwell.—Of course, we could go into these things and explain them. These things are merely idle matters, as far as our management is concerned. This Mr. Hall comes here and makes insinuations. I just challenge him to name an instance and we will explain it.

Witness.—You ask me to name an instance ?

Mr. Bodwell.—Yes.

Witness.—What sort of an instance do you like ?

Mr. Bodwell.—Make your statement. I challenge you to give an instance.

Mr. Richards.—Mr. Hall in his evidence gave the instance of Mr. Russell.

Mr. Bodwell.—Do you want us to go into the case of Mr. Russell ? Does Mr. Hall take up the Russell charge ?

Mr. RICHARDS.—The Commission are here to investigate, and they would like to have things cleared up. Mr. Hall gave in his evidence before that Mr. Russell thought he had to leave his position on account of his political position being opposite to that of Mr. Dunsmuir.

By Mr. Bodwell :

Q. Is that your statement, that Mr. Russell left his place here because he was obliged to leave ?—A. At least he thought that he had to sacrifice himself.

Q. Because he had different political opinions from Mr. Dunsmuir ?—A. Yes.

Q. That is your statement ?—A. Yes.

By His Lordship :

Q. On account of his political opinions ?—A. Yes.

By Mr. Bodwell :

Q. That is the charge ?—A. It is not a charge; it is a statement. Do you want to know how it grew up to that ?

Mr. BODWELL.—I am not asking any further questions.

By His Lordship :

Q. You had better say what you have to say shortly ?—A. Mr. Russell told me that Mr. Dunsmuir came up here to arrange for his canvass, that he came up to the office from the works—I forget what time it was. He said that Mr. Dunsmuir, and I think Mr. Little, and think Mr. Clinton, were in the office. Mr. Dunsmuir said as he entered the office, 'Who knew something about this man McAllan.' Mr. Russell says, in a joking way, 'He is a better man than you——'

By Mr. Bodwell :

Q. You had better not say anything you cannot pledge your oath to ?—A. The whole thing is hearsay—what Mr. Russell told me. Then it went on from that that Mr. Dunsmuir had counted on Mr. Russell being his electioneering agent up here at the time, and Mr. Russell, as I remember the conversation now, refused to be his agent, and said he was going to support McAllan. After that he took a very active part in the campaign. As far as I can see, there was no hard feeling, but the last night at his home I had a long conversation with him, and from that conversation I drew that he left here simply for that reason, and one of the things he said was that he was sorry to go away with unfinished plans. He went into a lot of matters of that kind.

By His Lordship :

Q. Did he tell you what the company dismissed him for ?—A. No. He did not go into that. He sent in his resignation; he was not dismissed.

By Mr. Bodwell :

Q. Didn't he say he was ashamed of himself, and went away for that reason ?—A. Well, if you have any conversation with Mr. Russell, you would know he would not be a man likely to say that.

By Mr. Richards :

Q. Do you know William Holt ?—A. No, I don't know the man.

Q. Do you know John Rowan ?—A. No.

Q. Do you know Matt. Mitchell ?—A. Yes.

Q. They were gradually laid off or gradually weeded out ?—A. I don't know by what process they had to go, but they went.

Q. You know their political opinion was opposite——A. It was the general opinion of every man who entered into the matter actively that he had to go, and that is the

general opinion regarding anything in this camp to-day. If the Commission is in doubt of it, they can take a hundred men out of this camp, and you will find eighty per cent will substantiate what I say—union or non-union men.

Q. You mean it is patent to everybody that all men who took any political interest opposite to Mr. Dunsmuir's by some means or other they all went?—A. Yes.

By Mr. Bodwell :

Q. Were any men laid off who opposed Mr. Mounce in the last election?—A. I was away at the last election.

Q. How many were laid off after the election of Mr. Dunsmuir?—A. I don't know.

JOHN MATTHEWS, re-called.

By His Lordship :

Q. Have you got the statistics we wanted?—A. Yes, roughly. They are fairly accurate, within one or two per cent. You want the number of men?

Q. I want the number of men, the proportion of Chinese, Japanese and whites, the number of men out on strike, and the number of men that have gone back?—A. There were three coal mines in operation : No. 5 slope, No. 5 shaft and No. 6 shaft, and No. 7 slope—the prospect slope, driving through the measures to the coal. In No. 4 slope, there are about 300 men underground, about half white, and the other half—perhaps 150 whites and about 125 Chinese and about 25 Japanese. In No. 5 pit there were 200 underground. There would be about 100 whites—from 90 to 100, and about 80 Chinese, and I would say 20 Japanese. In No. 6 shaft there were about 120 men altogether. There would be about 30 whites to 35—and the others would be Japanese and Chinese—Chinese rather; there were no Japanese in No. 6.

Q. These figures don't include any men above ground?—A. No. There are about 150 on the surface, roughly speaking.

Q. That is near enough. That is including all of the whites?—A. No. There would be about 100 whites on the surface, about 125 for all round the works, that is carpenters, engineers, &c., and there would be perhaps 50 Chinese in addition on the surface, apart from the regular work. At the new mine, No. 7, there are 8 whites and foreman—9 whites and about 40 Chinese, and 33 in addition to that constructing a railway out to that mine, 33 Chinese and one white man.

Q. The men who went out on strike were all underground men?—A. Yes, no top hands struck. I would say 300 whites went out.

Q. How many have gone back?—A. About three have gone back.

Q. When you say 300 whites struck, they are all union men?—A. Nearly so; there are about eight or nine not. Of course, I don't know—that is what I hear.

Q. Can you tell us what amount of wages have been lost by reason of this strike?—A. About a month lost now would be about $30,000, roughly speaking.

Q. Wages that would have been earned by the strikers?—A. There are a number of the works shut down—about $30,000.

By Mr. Rowe :

Q. What is the full pay under normal conditions?—A. Must I give that? My orders were not to divulge the pay roll, but it runs around $50,000 a month when the mines are working normal.

By His Lordship :

Q. I gather there would be about $1,000 a day paid to the underground workers?—A. Yes, about that. That gives about $3.50 a day.

Q. You say there is $30,000 lost in the strike?—A. That is about 25 working days; $25,000 would probably cover it in that respect.

Mr. RICHARDS.—It looks rather strange about so many Chinese coming out in the mine inspector's report.

HIS LORDSHIP.—I suppose that report was made several months ago.

Mr. RICHARDS.—No, when we struck.

WITNESS.—I think I can explain that. I think in the local House when that question was asked the person who gave the figures gave those who had been granted certificates as underground miners—Chinese and Japanese. There is close on 200 who have miners' certificates, and I think that number was given.

Mr. RICHARDS.—That was given out as Chinese working underground. I would like to have it made plain. We have a population of 1,100 Chinese here, and you say there were 150 whites, and the rest were Chinese in No. 4 ; in No. 5, 80 Chinese, and in No. 6, 95 Chinese. That would hardly square with the figures given in the report, about 137 all told.

WITNESS.—There were about 175 given in the report. The inspector's report gives the number correctly, or nearly so.

GEORGE W. CLINTON, sworn.

By Mr. Bodwell :

Q. How long have you been here?—A. Ever since the beginning of the work—15 years past.

Q. Were you present at the conversation mentioned by Mr. Hall?—A. I was.

Q. You might tell the Commission what the story is? Mr. Russell occupied the same position as Mr. Matthews?—A. Not quite the same. Mr. Little was manager and occupied the position that Mr. Mathews holds. During that time we had considerable trouble getting Mr. Dunsmuir to stand. He said he didn't want it. We were going over the list of names in the office about noon. Mr. Russell was coming along, and Mr. Dunsmuir says : How is Russell on this campaign?' I said, 'I don't know, but I will tell you how you can find out. He is an honest man and will tell you exactly how he stands—ask him to be your agent. Russell came in and Mr. Dunsmuir said, 'Russell, I am going to run for parliament, and I would like you to be my agent.' Russell said: 'Mr. Dunsmuir, I cannot vote for the present government in power, and if you are going to support that government I cannot support you.' He said: 'I consider that the Turner government is all right, and if I go in I intend to support them.' He says, 'Mr. Russell, I don't want to influence your right to vote as you please, but I don't want you to say anything to the men one way or the other, because the authority you hold over the men you derive from me.' Russell said he would not, but he did.

Q. What did he do?—A. Well, he was a Scotchman, and he had to go into it a little. We got up a petition requesting the people to support Mr. Dunsmuir, and Mr. McCall's name was at the top of the line, pledging his support to Mr. Dunsmuir. Afterwards they had a meeting and Mr. McCall then came to Mr. Short and asked him to withdraw his name from the petition, because he had been nominated to run against Mr. Dunsmuir.

Q. What happened after the campaign was over, as far as Mr. Russell was concerned?—A. I was present, and Mr. Russell did not exercise his right to vote. He gave in his resignation, and Mr. Dunsmuir told Mr. Russell that he did not want him to go, and Mr. Dunsmuir will bear out what I am saying—he did not want him to go.

There were a number of these men laid off, but the unfortunate Trent River bridge accident happened within two or three weeks afterwards, and it caused the mine to be shut down on account probably of that, and to prove it was not on account of discrimination I may say a lot of the men went away and came back and got work afterwards.

Q. Has there been any attempt on the part of the company to coerce the men on account of their political opinions ?—A. No, not that I know of. They might, but I don't think so.

Q. You would know—you were here all the time ?—A. Well, I don't think so. At the last election of Mr. Mounce they voted as they liked. There was not a man discharged. The officers of the company might have passed over the matter, but I know there would not be any man discharged or laid off on account of the matter.

Q. Do you know anything about this Chinese incident ?—A. No, Mr. Matthews knows about that.

By Mr. Richards :

Q. Do you know how it was that William Holt came to be laid off at that time ?—A. Unless it was on account of the Trent River bridge—I don't remember. The election was the last of June, and the Trent River was in August, I think. I think it was about five or six weeks afterwards.

Q. You were not acquainted with the political situation at that time ?—A. The political situation was over a week after the election.

Q. It has been remarked around that any man who took an active part in that election was quietly laid off ?—A. At the election of Mr. Mounce he did not poll half the number of votes that Mr. Dunsmuir did in his favour. There were twice as many men against Mr. Mounce at the last election as there was against Mr. Dunsmuir.

By Mr. Hutchinson :

Q. The men must be getting more sense ?—A. Men always do. You know as I do that up to the time Mr. Baker came here there was no more peaceable camp than this. There was no pressure exerted on you, Mr. Richards.

Mr. Richards.—No. I have said nothing about politics.

Witness.—There has never been the slightest complaint go down to Mr. Dunsmuir concerning the workings or treatment of any men in his employment. Mr. Dunsmuir has often remarked that when he came up to Comox he never had men before him.

John Matthews, recalled.

By Mr. Bodwell :

Q. You might explain about this accident to the Chinaman ?—A. I must say that there was a mistake made by someone, but whose mistake the evidence did not disclose. There are two landings at the place where this occurred, one higher than the other, for the purpose of hoisting the coal. There is a lower landing 26 feet below. At the landing there are two gates, one on each side. These gates are always closed. These Chinese workmen ought to keep them closed. In this case, the Chinamen took off a car which went to the top and came down again, and the Chinaman came along with the car loaded with cogs, and when he pushed the car the gate was open, and the cage not being there the car fell down the shaft and took the Chinaman with it. The engineer said there was a light in the distance and it is the practice for the men to have a lamp in his cap which these Chinamen have, and it is the Chinaman's duty to

see that the cage is there before he pushes the car on. The gate is about three feet high and is covered with plating. You can see it 100 feet away. When the car is shoved on he shouts 'all right,' and the engineer starts the cage.

Q. What did the engineer say about this?—A. He said he heard the call 'all right.' Of course, the Chinaman was dead and the evidence was in favour of the engineer. The jury put in a rider that we put in a bell. There is a difference of opinion about that. In some of the mines we have no bell and in some we have. There is no law in regard to the matter. One bell is ringing from the bottom of the shaft, another from the top, and another might cause confusion. I am not much in favour of the lower bell, although that is a matter of opinion. There is no regulation about it. We have a bell at the higher landing and there is a bell at the bottom of the shaft. From the lower landing we don't have a bell. It was clearly a mistake on the Chinaman's part. That is his work, pushing the cars off and pushing them on, and it is his duty to see that the cage is there. It was a mistake of the engineer's, no doubt, hearing someone's voice, or at least he thought he did, and dropped the cage.

By Mr. Richards:

Q. The evidence proved there was a mistake, and the jury did not make it out a mistake?—A. Not whose mistake it was. It was that of the engineer or Chinaman.

Q. The evidence given showed there was a mistake, but that was not the verdict?—A. So there was, or there would not have been an accident. I may say that these mines are always safeguarded to the best of our ability. We do all we can to protect the men, but mistakes will happen with these precautions.

His Lordship.—Speaking for myself, I would be glad to see the men find a way to come to some settlement. Men should remember they have families to consider as well principles. As far as I can see the position is that they are virtually saying to the management, 'You must either employ us as union men, or you cannot employ anybody.' That is the position as I see it in a nutshell, and that is a position that neither the law or public opinion will maintain. If the men don't want to work as individuals, they cannot force employers to take them either by law or public opinion. There is only one way of showing that an employer should deal with the union, and that is by putting a right class of men into the union—in other words, a union can only get a contract with an employer by persuading an employer to see that it is in his interest to have a contract. They cannot force that, and public opinion won't support them in that. That is really your position—either you must employ us as a union or not at all. I think further, you should consider carefully everything your labour leaders say to you. To my mind, from that telegram sent by Baker to Moyer, he was quite ready to call you out whether you had a grievance or not—that it was not your interests he was consulting. Whose interest it was I leave you to judge. By that telegram he was quite ready to call you out on sympathetic strike whether you had a grievance or not. If you go hunting for trouble and endeavouring to take up other people's troubles, you will have too much on your hands. If you have grievances of your own, it is probably right that you should take some means to protect them, but for a body of men to cease work with no regard to their employers or the public, because of a strike elsewhere, is a position that the public will not stand for, and I have no doubt that the parliament of Canada will take means to stop it.

Mr. Richards.—When they have, in the past, so that a man could not speak his mind, it is up to the men to form a union so that they can.

His Lordship.—Certainly they have a right to form a union, but they have no right to force a union on the public. I don't think that public opinion will support you in endeavouring to force a union contract. That was fought out in Montreal. There were some four thousand engaged in that and it was against a street car company, and you know that a street car company is about as unpopular a company as you could

have. You cannot force an employer. You take the people down at Nanaimo—so long as Mr. Robins was there he was quite satisfied to enter into contracts, and the reason was that the men acted reasonably. If the union would follow its example, and put good men into the union and keep away the agitators, the time would soon come when employers would enter into contracts.

Mr. RICHARDS.—They have taken the stand that they won't have anything to do with the union at all. Now we have a contract in front of us. It doesn't suit us at all. There may be occasions arise when we might come to a settlement. We are not standing up bull-headed. They don't wan't to accept the union at all.

Mr. ROWE.—I understand the position to be that you won't accept anything but a union contract.

HIS LORDSHIP.—That is a position the public won't sustain.

Mr. RICHARDS.—We don't stand that we won't do anything except on one line.

Mr. ROWE.—It should be stated, I think, that the men at Ladysmith agreed to a contract which seems to me to be exactly the same as this. That is my impression. They had the alternative proposition, I think, to work at $3 a day or a contract such as this. I am not sure but that the contract was a little less favourable than this.

Mr. RICHARDS.—The contract said $3, and they would provide them with labourers, but did not say what labourers, Chinese or Japs.

Mr. ROWE.—Perhaps it is not important to take it up. I only want to say that the counsel agreed to that, but they were not prepared to do that. I was not using it as an argument that you should accept it. I merely cited the case. I understand the trouble began by the management discriminating against the men and refusing to have union men. You asked for the reinstatement of your men, and you asked for the recognition of the union. The management say they will reinstate your men, and they won't discriminate against members of the union. Now that promise not to discriminate against the union is half way towards recognition of the union, and it would appear to my mind as if the men had an opportunity to settle without sacrificing their interests. Of course, their relation to the Western Federation in the case of individual contracts is a matter for them to consider themselves. I don't see that it should be any objection to the Western Federation to have a group of its members employed at good wages. The men are held together by their oath, and if there is any attempt to discriminate against the members of the union, they have the same power as the union. These are the reasons that seem to me to justify a settlement. I am speaking for myself in saying what I have said about the matter.

Mr. RICHARDS.—We don't want the Commission to have the impression that we are standing on one dead-set line.

HIS LORDSHIP.—It strikes me, Mr. Richards, that this has simmered down to a fight for recognition of the union, and that is a position a body of men cannot take when it comes to the last analysis. You have to show that it is to an employer's interest to take you as a union—you cannot force him. And when a body of men start out to fight a man who has large wealth and able to stand a fight for years, they are entering upon a long fight. If it were a wage strike, you might have public opinion with you, but not for recognition of the union. You must do it by persuasion—not force.

Mr. RICHARDS.—Well, I guess the condition of things is that I cannot change it by talking any more. I think we will just have to let it go.

(Adjourned).

LADYSMITH, June 1, 1903.

WALLACE BOWES, sworn.

By His Lordship :

Q. You are the telegraph operator of the C. P. R. ?—A. Yes, sir.

Q. You have been subpœnaed to produce some telegrams in your possession ?—A. Yes, sir.

Q. Have you got them ?—A. Yes, sir.

(Telegrams produced, marked Exhibit 19.)

HIS LORDSHIP.—Of course you will all understand that the object in having these telegrams produced in this way is to lay all the circumstances in connection with the strike before the Commission. Our first duty is to have all the facts, no matter in whose favour they are, set forth, so that the public can judge of the true merits of the situation. If there is any member of the committee would like to make any explanation about any of these telegrams, or to say anything, we are quite ready to listen to him.

H. T. PORTER, sworn.

By His Lordship :

Q. You are the agent of the E. & N. Railway Company—the telegraph agent ?—A. Yes, sir.

Q. Have you been here since the commencement of this strike ?—A. I have.

Q. How long before ?—A. I think it is the third year I have been here now.

Q. As telegraph agent ?—A. Yes, or rather it has been transferred for the last six or eight months into the C. P. R. department. I don't take any messages from the C. P. R.

Q. How long have you been handling the E. & N. messages—how many months past—at this point ?—A. Ever since I have been here—about three years.

Q. So that the messages from the E. & N. Railway Company would come through you ?—A. Yes.

Q. You were instructed on Saturday by telegram to look up any telegraphic correspondence relating to these strikes ?—A. I got the message Sunday morning.

Q. Have you searched ?—A. I have no messages at all in connection with it.

Q. Were any messages received by you ?—A. No, no messages received by me.

Q. In any way relating to this strike ?—A. No.

Q. That seems rather remarkable, does it not ?—A. I don't know. I don't think there has been anyone here to receive any messages. Mr. Dunsmuir has not been here, nor anybody. No official of the company has been around here very much that I know of.

Q. At all events you pledge your oath that you have received no message from any company official relating to this strike ?—A. Not that I am aware of.

Q. You ought to know ?—A. Yes.

By Mr. Rowe :

Q. Were any message in cipher ?—A. Yes, I have taken two or three cipher messages.

By His Lordship :

Q. You know nothing about the contents ?—A. No.

Q. And they may have related to the strike for anything you know ?—A. They may or they may not; I could not say at all.

Q. Who were they addressed to ?—A. To Robert Bryden.

Q. Who is Robert Bryden ?—A. He is one of the officials of the Wellington Colliery Company.

Q. Can you tell us when they were sent ?—A. About three weeks ago.

Q. Anyone else ?—A. No, only to him.

Q. Who did they come from ?—A. From Union—from Mr. Little.

Q. Where is Bryden ?—A. He is at Union now.

Q. You are sure that all these messages came from Cumberland ?—A. All the cipher messages.

Q. Between Little and Bryden ?—A. Yes.

Q. If that is the case, we have already got possession of these at Cumberland. You are certain there were no cipher messages between any other persons that could relate to the strike ?—A. I don't remember any of them. I kept no copies of them. They were just handed in.

By Mr. Rowe :

Q. Do you keep a copy of your messages ?—A. Not of that kind. It was taken off the wire and generally handed to them while they were there.

Q. Would you not have a copy of these messages to check with the Government telegrams ?—A. No.

By His Lordship :

Q. We got some fifty telegrams at Cumberland—they should be among them ?—A. They probably would. I got these from the agent at Wellington. All the company's business is handed in at Wellington and does not come by C. P. R.

Q. All the cipher correspondence took place between Little and Bryden ?—A. Yes, to the best of my belief. I don't remember any from anybody else.

Q. If that is so we have already got them all.

NANAIMO, June 1, 1903.

W. F. ARCHIBALD, sworn.

By His Lordship :

Q. You are the telegraph operator in the Canadian Pacific Company ?—A. Yes, sir, I am manager of the office.

Q. You have been subpœnaed to produce certain documents—telegrams ?—A. Yes.

Q. Have you the telegrams ?—A. Yes.

Q. Just produce them, please ?—A. Well, before doing that, your Lordship, I suppose I may ask a question or two. I am governed by a regulation of the company.

Q. I have seen the regulation you refer to ?—A. It is of no account ?

Q. Not as far as I am concerned. You have to obey the orders of the commission —you cannot help it.—A. Yes, I want to do that, and at the same time be on the right side with my company.

Q. I understand that, and the company understand perfectly well that where an operator is ordered to produce telegrams he cannot help himself ?—A. Might I ask for an order of court ?

Q. The subpœna is the best order you could have. It is not only an order of court, but it is from the Sovereign as well. You keep the subpœna—that will satisfy you ?—A. I suppose I had a right to ask these questions, at all events ?

Q. Yes, certainly.

(Telegrams produced.—Exhibit 20.)

Q. These are all the telegrams you produce during March, April and May ?—A. No others, except after May 30.

Q. Are there any others in your possession before March 30 ?—A. I did not look for them—I did not consider it necessary.

THOMAS SHENTON, sworn.

By His Lordship :

Q. I see a telegram here, Mr. Shenton, from you to Mr. Baker, ' Urgent request for your presence. Come to Nanaimo, if possible immediately.' It is dated March 9. Can you explain that telegram ?—A. I guess I can, but I would like to ask whether this Commission expects to make me responsible for everything connected with our consolidated organization ?

Q. It may be as well to understand first as last, that the public has put a large sum of money into this Commission to find out all the facts to enable the government to judge upon the merits of the dispute ?—A. I am hardly in a position to undertake to make myself responsible in that connection alone.

Q. You are simply asked to explain that telegram ?—A. Well, I simply ask the Commission whether I am allowed to have an adjournment of this matter, until I have conferred with other men.

Q. You were notified on Sunday that you would be recalled ?—A. Yes, just yesterday. I have no opportunity to make arrangements.

Q. Is there anything in the matter that you have reason to be ashamed of ?—A. No, I don't think so. These things are connected between our union and the Federation, and I might be committing myself in regard to the secret and private affairs of our organization. If I have to give this I would like an adjournment until I can consult with the parties and confer with our lawyer in the matter.

Q. How long would you want ?—A. Only such time as I can get Mr. Wilson. I guess he could get here to-morrow.

Q. This Commission is being held at great expense, and we will be delaying matters one day if we allow it to stand over until Mr. Wilson comes.

By Mr. Rowe :

Q. Would it meet your case if you had an opportunity to consult Mr. Wilson in Vancouver and give your evidence there ?—A. Yes, I might be able to do that.

By His Lordship :

Q. I suppose that would be satisfactory ?—A. How long do you expect to stay in Vancouver ?

Q. Probably a week—not longer. Could you be there Wednesday ?—A. Yes, I guess I could.

Q. You will undertake to appear before the Commission on Wednesday ?—A. Yes.

Q. I think it only right to tell you, Mr. Shenton, that Mr. Hall gave evidence at Cumberland. You probably noticed that ?—A. Yes. I don't know what he said.

Q. The drift of his evidence was to the effect that you went up there and had an interview with him; that you informed him you were there as the representative of Mr. Baker, and that you came up for the purpose of seeing what could be done in the way of organizing the Chinese and Japanese. Would you like to make any statement as to that ?—A. That I came up with the idea of organizing the Chinese and Japanese. That cannot be his statement. If it is, it is untrue.

Q. Would you tell us what the conversation was ?—A. Well, he introduced the idea of educating the Chinese.

Q. You went up there ?—A. Yes.

Q. Did you tell him that you would see what could be done in the way of organizing the Chinese ?—A. No.

Q. Or words to that effect ?—A. No, not words to that effect.

Q. Tell us what you did tell him. Give us your account of the interview ?—A. He probably introduced the idea to me, if my memory serves me right, in connection with the elevation of the Chinese to an appreciation of organization. He perhaps did say it might be brought about, provided they were made to understand what organization meant. He stated, I think, that he had an idea that if constitutions and by-laws of any organization now in existence could be printed in their language to educate them up to an appreciation of organization.

Q. He suggested that the constitution should be printed in their language ?—A. Yes.

Q. Did you tell him what you went up there for ?—A. Well, I told him that what I went up for was just in the place of Mr. Baker, as I have said, in the sense of informing the men that Mr. Baker could not be present.

Q. Is that all you went up for—to tell the men that Mr. Baker could not be present ?—A. Just to look into matters regarding the situation there.

Q. You were commissioned by Mr. Baker to act with full power ?—A. Yes.

Q. And you were to take charge of the strike ?—A. Not exactly take charge of the strike. I was there to act in his absence for three days.

Q. That would include the right to advise the men I suppose ?—A. Well, yes. It gave me the authority to advise them as an officer of the Western Federation of Miners, as a representative of Mr. Baker, that their position was approved of.

Q. You were there to tell them their position was approved ?—A. Yes.

Q. And you were to act in his place as organizer ?—A. No, not as organizer. It was already organized. The most important part of my duty was simply to inform them that Mr. Baker could not get there, and as I have already stated, informing them that their position was approved. That is all I did there.

Q. What conclusion did you come to about the Chinese ?—A. I don't know that I came to any particular conclusion. I don't know that that bothered my mind at all.

Q. What understanding did you and he arrive at about the Chinese ?—A. That is, Mr. Baker and myself.

Q. No, Mr. Hall ?—A. No understanding that I am aware of; nothing more than what I have stated.

Q. That you were going up on a mission to elevate the Chinese ?—A. No, I didn't go on a mission; he introduced the idea of the elevation of the Chinese to the appreciation of organization.

Q. Well, instructions came from Moyer to organize the Chinese and Japs, didn't they ?—A. I cannot say; I don't know.

Q. Were you one of the men present at the joint meeting held here ?—A. Yes.

Q. Was there not a telegram from Mr. Moyer to Baker to the effect that he approved of calling out any and all men to help the men at Ladysmith to win, and if necessary to organize the Chinese and Japanese ?—A. Not that I know of.

Q. You don't know anything about that ?—A. No.

Q. So that Baker did not communicate to you this telegram ?—A. No.

Q. Did you know that Baker was going to inquire from Moyer about that ?—A. No. I saw it in the paper. In order to show clearly what I am stating, I asked Mr. Baker if that was possible—whether there would be any truth in that statement—something to the effect that they thought of arranging for the organization of the Chinese and Japanese, and he said that he did not know.

By Mr. Rowe:

Q. That was when ?—A. I cannot just remember the date. About the time they appeared in the newspapers here in the province.

Q. Can you fix the date at all ?—A. I guess it must be nearly two months ago—about six weeks or two months ago. I cannot remember now. I remember very well asking him if that could be true, and he said he did not know. That is all I know about it entirely.

By His Lordship :

Q. Did you know that Baker was inquiring from Moyer as to the advisability of calling out the men at Cumberland ?—A. No.

Q. Was that ever discussed between you ?—A. No, not that matter, with me.

Q. Was it discussed between anybody with you present ?—A. No.

Q. You heard no discussion about that at all between any persons ?—A. No, no discussion whatever.

Q. So, as far as that part of the strike is concerned you were not taken into their confidence ?—A. If there was any confidence in that regard, I was not

Q. You know nothing about what Baker was doing about that ?—A. No, not a thing.

Q. Would the calling out of the men at Cumberland in sympathy with Ladysmith have met with your approval ?—A. Well, of course we were not consulted in the matter at all—I was not—in anyway regarding it.

Q. You evidently had Mr. Baker's confidence to some extent, otherwise he would not have put you in his place at Cumberland ?—A. I have an opinion—I would say my own private opinion—not my opinion of Mr. Baker. I had no dealings with Mr. Baker in that connection at all. My own private opinion before the time that that did occur was that it was not wise to call them out.

Q. You thought it was not wise ?—A. No.

Q. Would you have thought it wise to organize the Chinese and Japanese if you had been consulted ?—A. Well, no, I don't think so.

Q. So far as you can speak for the union here, they would not approve of the organization of Chinese and Japanese as members of your order ?—A. No, they would not.

Q. So that to that extent you disagree with the president of the order ?—A. Yes.

Q. Then Mr. Hall was mistaken when he says you suggested to him that the Chinese be organized into a separate branch of the order ?—A. Yes, he is mistaken.

Q. You made no suggestion of that sort ?—A. As I said, I think he made the suggestion along that line.

Q. Well, you appear to agree that there was a suggestion made, but you differ as to who made it ?—A. Well, yes, there was a suggestion made. But the whole conversation regarding that suggestion made was not in connection with organization of them at this time. It was a matter of looking forward to a future time on the part of Mr. Hall, and if I did agree in any sense whatever, the greatest objection I had would be, of course, that they are aliens to a large extent, and they are a people whom the white people cannot compete with, and to endorse the idea of their being put on a level to some extent with us would be detrimental, I think. That was the difficulty in the way of all this. It was a mere matter of conversation, talking over the possibilities of the thing.

Q. The whole tone of this matter seems peculiar. We first have Baker getting instructions to organize the Chinese and Japanese. We find that you are the trusted agent of Baker, and you go up to Cumberland and have a conversation with the missionary of the Chinese about organization. It seems to me the public will readily draw their own conclusion unless you distinctly negative it?—A. I say I don't know anything about any such mission in that connection. I am stating the fact.

Q. You have read this telegram, I suppose, or have heard it read?—A. I would like to hear it.

Q. Telegram from Charles Moyer to J. J. Baker, Nanaimo: 'We approve of calling out any or all men necessary to win at Ladysmith. Organize Japanese and Chinamen if possible'?—A. I never heard it read, I did not know that it was in existence.

Q. You see what I am getting at, Mr. Shenton. Here is a telegram, now in evidence, from the president of this organization in Denver to the trusted agent and organizer, Mr. Baker, instructing him to organize the Chinese and Japanese if possible. You are the representative of Mr. Baker; you are sent to Cumberland for three days, and you have a conversation with the missionary of the Chinese, in which it is evident that the subject of organization of the Chinese was discussed. It seems to me the public will very readily draw their conclusion that you went up for that purpose, to organize the Chinese?—A. I cannot help that, Mr. Hunter. I deny it; that is all I can do.

Q. You deny that you went up for that purpose?—A. I deny that—emphatically deny it.

Q. If not for that purpose, for what purpose did you go up?—A. I think I have stated the purpose for which I went up.

Q. Well, it won't hurt you to repeat it?—A. Well, I went up, first, as I have said already, to look into the situation there, and to instruct the union in the name of Mr. Baker, representative of the Western Federation, that their position was approved.

Q. You went up to instruct them that their position was approved?—A. Yes.

Q. When did you go up?—A. I forget the date. I cannot just recall the date; about the middle of last month.

By Mr. Rowe:

Q. About the middle of May?—A. Yes; just about a few days after they came out on strike up there.

By His Lordship:

Q. It was necessary for you to go up and tell the men that their position was approved, was it?—A. Well——

Q. The difficulty with that is that Mr. Barber was given this telegram up here, and showed it to the people up in Cumberland?—A. Mr. Barber was given that telegram?

Q. Yes, that Mr. Barber took that telegram up there. So that explanation seems to be somewhat feeble?—A. Well, I am only responsible for what I know, and I am trying to state what I know.

By Mr. Rowe:

Q. Had Mr. Baker intended going up himself?—A. Yes.

Q. Why didn't he go?—A. Because he went up to the Commission. Of course, a telegram was sent up, telling the union at Cumberland that he would be there at such a date. Then, of course, we persuaded him to stay for the Commission, and he finally did. Then he called upon me—upon the executive—to ask them if they would allow me to go.

Q. That is your executive?—A. Yes.

Q. Mr. Hall said you suggested that he should appear before the Commission and give evidence—that is correct ?—A. Yes.

Q. He says he got the impression from you that the Western Federation of Miners would approve of the idea of organizing the Chinese. Was he correct in that ? He says he understood that. Was he incorrect ?—A. That they would approve of that ?

Q. Yes ?—A. I cannot recollect that I made those statements.

By His Lordship :

Q. If your conclusion of the whole affair is correct you could not be correct in that case—you say you knew nothing as to what was going on between Baker and the headquarters ?—A. I might have said that, while I do not recall anything said. It would be inconsistent with my own mind and view to have made a statement of that kind.

Q. It seems to be somewhat peculiar that Mr. Hall would make a statement of that kind unless there was some foundation of fact for it ?—A. Well, I cannot be responsible for what Mr. Hall may say or what he may not. I don't want to say he would see to say anything wrong, but still I am trying to say to the best of my memory what I did say, and to deny what I did not say.

Q. How can you suggest that Mr. Hall should get such an idea ? There was only one conversation between you ?—A. I don't know, unless possibly he saw something in the papers regarding it the same as I had. I don't know hardly anything as to how it sprung up.

Q. There was nothing in the papers as to the Western Federation proposing to organize Chinese and Japanese ?—A. There had been a little time before that—in the papers as I have stated.

Q. It seems to me, Mr. Shenton, you owe it to yourself to thoroughly clear up the whole situation. First, there is a telegram from Mr. Moyer instructing this organization. You are sent up as a representative of Mr. Baker; this telegram is shown these men at Cumberland and you have a conversation about the matter ?—A. I have already said that I have not seen the telegram. I did not know that such a one was in existence.

Q. You don't mean to say you have been used as a blind instrument by these people at Denver ? If there is anybody in whom they would have confidence it would be you ?—A. Well, I don't know exactly. I think they would put the same confidence in me as they would in other men.

Q. Don't you think you are entitled to be taken into confidence on important questions such as the taking of Chinese into your order ?—A. Yes, I should think, as part of the Western Federation they should do so.

Q. As the man who had been selected as the local organizer you were entitled to be taken into their confidence ?—A. Yes.

Q. And yet it appears you were not taken into their confidence—on that subject at least ?—A. Not on that subject, anyhow.

Q. Can you explain this telegram of March 30, from F. B. Craig to you:—'No settlement in sight; tell men not to move.'—A. That is a public matter, I guess. That came to me—it is not considered to be a secret in any sense of the term. That was handed over to the press to be published at the time.

Q. What is the meaning of the expression—'tell men not to move' ?—A. The meaning of that, as I understand it, would be for men not to go up there. There were quite a number of men waiting, and if it was given out that it was settled they knew these men would be returned. I know nothing more than I could find out from the fact of having received the telegram—only what I may think.

Q. You mean to say that there were men here who would have gone to Fernie, if it had not been for this telegram ?—A. Yes, they were waiting for a settlement and were waiting to return.

Q. Men who had worked there before and were here ?—A. Yes.

Q. How many of such men were there ?—A. I don't know that I know all. I know John Hough was one man. I would say there were one or two anyhow, there may be more. I say that is what I would surmise in connection with the telegram that was referred to.

Q. You understood that the men who were here at that time were being requested not to go back to Fernie ?—A. That is what I would think.

Q. Who is Craig ?—A. All I know is from communications to our lodge. He used to be secretary of Fernie lodge, No. 76.

Q. Secretary of the Fernie lodge ?—A. I think so.

Q. You have heard that the men at Fernie and adjoining places have given up the Western Federation ?—A. Yes.

Q. Any truth in that ?—A. Yes.

Q. What is the ground for that ?—A. I don't know the whole of the reasons. I heard the opinion expressed that it was due to the fact of the dilatory methods pursued in connection with the difficulties there on the part of the Western Federation—that is, in rendering necessary support and so on.

Q. They have joined the United Mine Workers ?—A. Yes.

Q. The support given by the Western Federation to Ladysmith and Cumberland has been very meagre up to date ?—A. I believe so.

Q. Not more than about $1,800 —A. I don't know exactly, but I guess that is pretty near.

Q. Does it not occur to you that a man has a great responsibility on his shoulders, who will undertake to call out a large body of men, without providing for their support ?—A. It is a great responsibility, in the first place.

Q. You see what this telegram says—'We approve of calling out any or all men necessary—' That is a pretty serious responsibility ?—A. Yes.

Q. And from a man in Denver, whom you can only communicate with by letter and telegram ?—A. Well, I don't think that the idea—that that should be a weakness of the Federation if it is what it is represented to be. It ought to be equally strong.

Q. If the facts are not fully and fairly laid before the executive at Denver, they might make an order which would be disastrous to the welfare of the men ?—A. Yes.

Q. So that the welfare of the men here practically would be determined by what goes on between two or three leaders here and the executive at Denver ?—A. Yes, in a very large measure.

Q. And yet it has appeared that in an important matter, such as the organization of Chinese and Japanese, you, as one of the local men, were not taken into the confidence of these people ?—A. I don't know anything about it. I don't desire it, and it does not hurt my feelings at all.

Q. You don't mean to say you are willing to be a blind instrument in the hands of these people on an important matter of that sort ?—A. Well, I would not like to be, so far as that is concerned, provided everything in that connection is straight.

Q. That is a matter about which you would like to be consulted as one of the local leaders, is it not ?—A. Yes.

Q. There was some evidence given by Mr. Hall which, perhaps, I had better call your attention to. Where he says that the question of guarantees is concerned, he said : 'He (that is you) could give no decisive answer with regard to the matter, but he (meaning you) felt certain that guarantees could be given, but that he would have to see Mr. Baker first' ?—A. Guarantees ? What does he mean ?

By Mr. Rowe :

Q. In reference to guarantees he demanded for the Chinese before they would enter a union ?—A. Yes, I believe that is true. He mentioned something about guarantees.

By His Lordship :

Q. Further back he says :

> 'He suggested that he thought that the Federated executive at Colorado —I think it is—would be willing to make a guarantee, and I told him that whenever proper guarantees were made and given that I would do all in my power to help along the union— not active organization work—but I would use my influence, and do all I could to uplift the Chinese—'. 'He could give no decisive answer with regard to the matter, but he felt certain that guarantees could be given, but he would have to see Mr. Baker first.'

—A. No, I did not say—that is enlarged upon.

Q. What is your recollection of the conversation ?—A. He spoke something about a guarantee—that is, along the line of organizing the Chinese and Japanese. I remember that very well, but I am pretty well sure I did not say that guarantees would be forthcoming, even if he did see Mr. Baker.

By Mr. Rowe :

Q. He says that you said you would have to see Mr. Baker before you could do anything.

By His Lordship :

Q. 'But that you would have to see Mr. Baker first.'—A. I may have said I could not take any responsibility in the matter of guarantees, and that I would have to mention the matter to Mr. Baker, that had reference directly to what I have already stated, the publication of constitution and by-laws, on the occasion when he thought something of that method ought to be adopted to educate these people. It seemed to be a hobby with Mr. Hall about elevating them.

By Mr. Rowe :

Q. Did you ever speak to Mr. Baker about it afterwards ?—A. I spoke to Mr. Baker regarding the constitution and suggestion made by Mr. Hall, but the matter dropped right there.

By His Lordship :

Q. The question of organization of Chinese was discussed in a general kind of way ?—A. Yes, in a general kind of way.

By Mr. Rowe :

Q. I think the suggestion was that now, since the head tax had been raised to the sum where it now is, that the number coming in would be limited, which kept them from being a menace to labour if they should be organized ?—A. Yes.

Q. He gave us to understand that the Western Federation were prepared to take the matter up ?—A. Well, I deny that statement, because I could not have stated that. The great obstacle to the question I pointed out was the fact that these were an alien race, and that we, as working-people, had opposed them, their presence being a menace to the white man's interest. That was the great objection.

By Mr. Rowe :

Q. You understand why the Commission is going into this matter, because if it is proposed to unionize the oriental races, it will affect very materially the industrial situation here ?—A. Yes.

Q. I notice that Mr. Baker, under date of May 12, writes to Mr. Richards, in which he says, 'that he got Brother Shenton to go in his stead, as he would not be able to go——.' That would be about the time you were there—about May 12 ?—A. Yes.

THOMAS SHENTON—Nanaimo, June 1.

By His Lordship :

Q. You say you want to see Mr. Wilson before answering the question about this first telegram ?—A. Yes, I would like an opportunity of doing so.

Q. And you will be over in Vancouver on Wednesday ?—A. Yes.

Mr. Shenton's examination deferred until Wednesday.

VANCOUVER, June 2, 1903.

Open sittings of the Royal Labour Commission.

Mr. E. P. Davis, K. C., for the Canadian Pacific Railway.

Mr. J. Edward Bird, for United Brotherhood of Railway Employees.

(Commission read by Secretary.)

HIS LORDSHIP.—Now the Commission is here for the purpose of investigating the strike which is known as the U.B.R.E. strike. I understand that both parties to that dispute will be represented by counsel. For my part, I sincerely hope that it is so. Notwithstanding all this that we hear in some newspapers and by people who seem to have a chronic dislike for lawyers, it is found, at all events by judges, that to properly conduct an inquiry before a tribunal having judicial power, it is absolutely necessary to have counsel. They can bring out the points very much better than the ordinary layman, and can advise their clients from time to time as to the proper way in which their case should be conducted.

I would like also to say that this Commission is being held at considerable expense, and to the prejudice of litigants in the courts. At present our court is labouring under the difficulty of having some of the judges in rather serious ill-health, and it is necessary that the parties should assist the Commission, so that no time will be unduly wasted. I hope that both parties will feel the responsibility upon them of coming forward voluntarily, and that no attempt will be made to conceal anything on either side. The intention of the Commission is to get at the facts, and that will be done if it is in our power to do so, for the purpose of bringing them to the notice of the government, and for the purpose of enabling the public to judge of the real grievances in this dispute. In order to assist that purpose, speaking for myself, I think it would be well to adopt the practice that is adopted as a matter of course in the Supreme Court, that each party should file an affidavit of documents which they may have in their custody, together with a statement of their case. If either side wish to set up questions of privilege—that is to say, if either party thinks certain documents should not be exposed, counsel can say so; then it will be for the Commission to decide whether such documents will be made public. We would like also each party to file a statement of its side of the case. The men should file a statement of their grievances for which they went out on strike, and the company deal with the situation set for by the men, as shortly as possible.

There are other matters which have come to our attention in the city of Vancouver; that is to say, auxiliary strikes. We propose shortly to investigate these. At the same time we would like to have any parties belonging to the merchant class, who feel that the actions of the unions have affected them, for good or evil, come forward and state their views. I do hope that parties will come voluntarily forward and give these facts, and that nothing will be concealed.

Mr. DAVIS.—Do you suggest that these statements you speak of and the affidavits should precede the giving of evidence ?

HIS LORDSHIP.—Yes, I think it would be just as well.

Mr. DAVIS.—I think some direction should be made as to the time in which the statement we will have to answer should be filed.

HIS LORDSHIP.—How long would you like, Mr. Bird, to make a statement of your case.

Mr. BIRD.—I appear for the U. B. R. E., that is practically all. I understand my instructions come generally from the committee of striking employees, but more particularly with the portion of it respecting the U. B. R. E.. I understand it is not a case where counsel alone might be heard, and I have asked the assistance of an old and respected labour man of the province—Mr. Foley.

HIS LORDSHIP.—We will be very glad to have Mr. Foley's assistance.

Mr. BIRD.—So far, your Lordship, as the position of the U. B. R. E. is concerned, and as to the presentation of the case before the Commissioners, I would like just shortly, to make a statement to the effect that the U. B. R. E. have in fact no demands before the C. P. R.

HIS LORDSHIP.—We would like to have a short statement from the men as a body, why they went out on strike. We want that in writing, signed by responsible parties.

Mr. BIRD.—I understand that the position the Commissioners desire to take would suggest a course on the part of the U. B. R. E. similar to filing a statement of claim. Now, the fact is this organization was of such a nature that the Canadian Pacific Railway, fearing that there might be trouble by reason of the size of the international organization, sought to throttle the movement before it obtained strength. That they forced conclusions upon the U. B. R. E. by taking the initiative, virtually locking the men out from their employment. That is the position they have taken from the beginning—that this is a lock-out, not a strike.

HIS LORDSHIP.—It is not a question of initiative; it is a question of convenience of procedure. It occurs to me that the *status quo* has been altered by the men rather than by the company, and that is the position which was taken in the anthracite coal strike in Pennsylvania. The men there were in the position of plaintiffs and were represented by nine counsel. I think it must be apparent to everybody that it is the action of the men that has altered the *status quo;* it is a mere convenience of procedure.

Mr. BIRD.—I will, on the suggestion of the Commissioners, prepare a statement and affidavit of documents. I will be prepared to go on this afternoon. I understand it is the desire of the Commissioners to proceed with as little delay as possible.

HIS LORDSHIP.—Yes, we cannot allow these proceedings to dwadle; the courts are being kept back.

Mr. BIRD.—I understand from the officers of the U. B. R. E. that they have made some endeavours to bring a committee before the C. P. R. for the purpose of discussing settlement negotiations, that may possibly have some effect upon the deliberations before this Commission. I am informed by this committee that a meeting may take place to-day or this morning, but it is no desire of the union, at any rate, to delay the proceedings. If it is the desire of the C. P. R. to consult with a committee we will be willing to meet them.

HIS LORDSHIP.—Of course the Commission would be only too glad to hear the matter had been settled, but that will not affect us so far as finding out the circumstances. We are required by the government to report on the strike. If you think it would be better to adjourn until to-morrow in order to have this statement filed, that can be done.

Mr. DAVIS.—I don't see any way of avoiding that unless the men can undertake to let me have that statement within an hour. To meet this afternoon that will be necessary.

His Lordship.—If you are going to have any conciliatory meeting I expect you will find all your time taken up.

Mr. Davis.—I presume my learned friend can let me have that statement by two o'clock?

Mr. Bird.—I will undertake to do so. If I am to file my statement by two o'clock I would request that my learned friend be asked to furnish me with a statement and affidavit of documents, that I may deliberate on them to-night.

Mr. Davis.—As to the affidavit of documents, I doubt very much whether we could get that ready. We will get that at the earliest possible moment.

His Lordship.—There is no particular hurry about that, of course.

Mr. Davis.—I would like to ask my learned friend who will make the affidavit on the other side?

His Lordship.—The members of the executive of the U. B. R. E.

Mr. Davis.—The U.B.R.E., as I understand from Mr. Bird, does not cover all the strikers.

Mr. Rowe.—Perhaps if we knew what the term 'striking committee' covers we would understand.

Mr. Bird.—I understand that the strikers consist of the U.B.R.E., the 'Longshoremen and the Teamsters' and the British Columbia Steamshipmen's Society. Further, I understand there are now on strike, by reason of this trouble, 939 employees out at the present time—not including some who have gone back to their service since the strike was declared. That includes, as far as I know, up to Winnipeg—all Canada as far as the U.B.R.E. is concerned. There are, I understand, in Vancouver, practically 498 members of the U.B.R.E.

His Lordship.—In British Columbia?

Mr. Bird.—No, that includes Vancouver, Nelson, Revelstoke, Calgary and Winnipeg. That is the total membership now out on strike, and practically the total membership. I think the affidavit of documents should be from the manager or head officer of the local union—I think that would be the proper affidavit to file.

Mr. Davis.—I understand that there is a headquarters committee or an executive which covers everybody concerned in the strike. Is that correct?

Mr. Bird.—I believe that is correct.

Mr. Davis.—If that is so I would say that the secretary or chairman of that committee, or someone on the committee would be the proper person to make the affidavit.

His Lordship.—Better have the affidavit from the secretary of the striking committee, whoever he is.

Mr. Bird.—As a matter of fact the chairman of that committee happens to be the manager of the U.B.R.E. That is Mr. Brooke.

His Lordship.—I suppose, Mr. Davis, that Mr. Marpole will make your affidavit.

Mr. Davis.—Yes, Mr. Marpole, I suppose.

His Lordship.—You might give us the names, Mr. Bird, of the presidents of these four organizations.

Mr. Bird.—Mr. Brooke is the manager of the U.B.R.E., and I am just informed now that it is for that organization alone that I appear, and that the officers would have to consult the leaders of the other organizations before distinctly saying whether they would be represented here.

Mr. Rowe.—Does that relate also to the affidavit of documents?

Mr. Bird.—Yes.

Mr. Rowe.—Mr. Brooke undertakes to produce only the documents affecting the U.B.R.E.

Mr. BIRD.—I imagine those will be all the documents required to be produced.

Mr. DAVIS.—There may be other documents.

HIS LORDSHIP.—We will have to get at that by means of subpœnas.

Mr. BIRD.—Mr. Fred Johnson is president of the Longshoremen, C. H. Thompson of the British Columbia Steamshipmen's Society, and J. C. Kerr of the Teamsters. It has just occurred to me that it might be well, if the C.P.R. are willing to meet that committee, that we would like to know it, otherwise we desire to prepare our documents. If they desire to meet us, the committee are gentlemen who have more intimate knowledge of the whole strike, and I would wish them with me.

Mr. DAVIS.—Well, you can go on with the preparing of your statements anyway, and the C.P.R. matter can be discussed outside. That is a matter that we had better not discuss here, I think.

HIS LORDSHIP.—There can be no harm in the parties meeting anyway. By the way, Mr. Davis, it was arranged in Victoria that Mr. Troup should come here to present himself for cross-examiniation.

Mr. DAVIS.—Then, I suppose, we had better leave a date open.

Mr. BIRD.—I imagine Mr. Wilson is here in the city. I know nothing whatever about the matter.

HIS LORDSHIP.—He was to be cross-examined in the interests of the Longshoremen and the B.C.S. Society.

Mr. BIRD.—I understand that can be arranged.

VANCOUVER, June 3, 1903.

Statement of case for U.B.R.E. put in by Mr. Bird (Exhibit 21).

Statement of case for C. P. R. put in by Mr. Davis (Exhibit 22).

HIS LORDSHIP.—Shall we go on now, Mr. Bird? I understand that some attempt has been made to settle.

Mr. BIRD.—Yes, and the main witnesses are out of the room, but I am prepared to offer a witness who will keep matters going for a while. I will call Mr. Laverock.

HIS LORDSHIP.—No danger of the settlement being affected by that?

Mr. BIRD.—I will try and not offer any testimony in peril of the situation.

DAVID LAVEROCK, sworn.

By Mr. Bird:

Q. Are you one of the ex-employees of the C. P. R. here?—A. Yes, sir.

Q. How long have you been in the service of this company?—A. Over five years.

Q. What particular part of the service do you work in, Mr. Laverock?—A. I belong to the freight handlers' department.

Q. When did you go on strike?—A. On the 2nd of March; that was a day and a half after the first batch went out.

Q. Do you belong to any secret organization?—A. No, except that organization to which I belong, the U. B. R. E.

By His Lordship:

Q. They are bound by an oath? Do you take an oath?—A. Yes.

By Mr. Bird :

Q. What are you asking in this particular strike, Mr. Laverock ?—A. We are asking nothing in the shape of extra money, nothing extra, nor are we asking shorter hours. All we ask is to be let alone in the union with which we have become associated; that is all; not to be molested in any way.

(Mr. Davis objects to examination going on in the absence of Mr. Marpole.)

His Lordship.—How long are these settlement negotiations likely to be ?

Mr. Davis.—They are supposed to be very long.

Mr. Bird.—I am ready to let Mr. Laverock's examination stand until I can get Mr. Brownley. I did intend to call him first. He is not an employee of the C. P. R. and not a striker. The object is just to show that on railways where there is no organization the employees are subjected to great indignities, and that the labour unions prevent that.

His Lordship.—I think myself, it would be advisable to allow this matter to rest if there is to be a settlement.

Mr. Davis.—It is absolutely impossible for me to go on in Mr. Marpole's absence.

His Lordship.—I don't think the Commission should go on if there is likely to be a settlement. If there are any merchants or others who have nothing whatever to do with this strike and want to give evidence, we could hear them.

Mr. Bird.—This Mr. Brownley has no connection with the strike.

Mr. Davis.—The only trouble is, that if Mr. Bird goes on with the evidence I will have to bring Mr. Marpole out.

His Lordship.—It is a matter of more importance to the community that this thing be settled, than to spend a few hours here taking evidence, if it is going to create friction.

Mr. Bird.—I quite agree with your Lordship——

(Witness leaves box).

Thomas J. Shenton, sworn.

By His Lordship :

Q. Are you prepared to go on, Mr. Shenton ?—A. Yes.

His Lordship.—I might explain for the benefit of those here that it is intended to complete the taking of this gentleman's evidence which was started at Nanaimo. It has no immediate connection with the matters in which you gentlemen here are interested. The Commission will probably be engaged for some little time with this witness, and I don't see any reason why anybody should be present unless they wish.

Mr. Bird.—Probably your Lordship would say when we might return. We are prepared to go on at any time, and are anxious really to expedite matters now that it has come to that point.

His Lordship.—Better say a quarter to four. You could resume your negotiations in the meantime.

Mr. Bird.—As far as I understand, my Lord, there is no possibility of any negotiations being continued with any expectation of success.

Mr. Davis.—From what Mr. Bodwell says, Mr. Shenton's examination will probably take a little while, and I would suggest that as far as our people are concerned, it

would be much more convenient to come back in the morning. It is now nearly three, and probably this evidence will take a couple of hours or so. Probably it would be more convenient for my learned friend and his people also, and we would not be losing any time in the meanwhile.

Mr. BIRD.—In reply to my learned friend, I may say my instructions are to urge the matter on. We have been negotiating for nearly two days with the hopes——

Mr. DAVIS.—I have not been responsible for that at all. We have made a proposition and apparently your people won't accept it. But I merely refer to our mutual convenience.

HIS LORDSHIP.—Have you your documents ready ?

Mr. BIRD.—Yes, my Lord. We have not yet got the affidavit of documents of my learned friend.

Mr. DAVIS.—I am prepared to give my learned friend the affidavit of documents to-night; I have it nearly prepared.

Mr. BIRD.—I have mine ready. I will put it in and give my learned friend a copy.

(Copy put in—Exhibit 25.)

HIS LORDSHIP.—We would like very much to have all these documents before the evidence begins.

Mr. BIRD.—I assume that my learned friend will produce the documents ?

Mr. DAVIS.—Yes.

HIS LORDSHIP.—You can spend the time looking over the documents. Then we will be prepared to go on in the morning. If anyone wishes to give evidence on questions not directly concerned with this strike we will be glad to hear him after this witness is through, but the matter of the U.B.R.E. strike will be adjourned until to-morrow.

Mr. DAVIS.—I may say in connection with the affidavit of documents put in, there are a number of documents put in a bundle marked A, with reference to which we claim privilege. We have no objection to showing these to the Commissioners, and if they say that any or all of them are to be produced, of course we will produce them.

By His Lordship :

Q. You are still under oath, Mr. Shenton ?—A. Yes.

Q. Now just tell us what took place at the joint executive meeting at Nanaimo ?—A. At the joint executive board meeting that we had, it was called for the purpose of gaining an understanding as to how things were at the different towns, both Nanaimo, Ladysmith and also Cumberland.

Q. I suppose you met to discuss what measures you were going to take in aid of the strikers at Ladysmith ?—A. Yes, that was one of the propositions.

Q. They met to discuss what aid should be rendered to the strikers at Ladysmith, and I suppose generally, what measures should be taken in order to secure the success of the strike ?—A. Yes.

Q. What else was suggested besides the assessment of the different unions in order to aid the strikers ?—A. There is no other method—that is, regarding finances—further than looking into the Western Federation of Miners and general support for Ladysmith.

Q. I mean outside of financial aid. What measures were discussed in order to ensure the success of the strike at Ladymith ?—A. Matters were mentioned regarding taking up subscriptions.

Q. Outside of that ?—A. No other matters that I am aware of.

Q. Was it suggested by any one, or was the matter suggested as to the organization of the Chinese and Japs ?—A. No.

Q. Nothing said about organizing the Chinese ?—A. Not to the best of my memory—there was nothing said.

Q. Was there nothing said about organization of the Chinese by any two or more members of that executive independently of the executive meeting ?—A. I am not able to say ; I have no knowledge of that taking place.

Q. There was nothing said about the organization of Chinese in your presence ?—A. Nothing in my presence.

Q. By any person ?—A. By any person.

Q. At any time—I mean at Nanaimo ?—A. In connection with the meeting ?

Q. Or in connection with the men who met there ?—A. No, nothing in connection with the men we met there.

Q. Was the matter discussed in the Nanaimo union ?—A. No.

Q. Was it discussed by any member of the Nanaimo union ?—A. All the discussion that I have any knowledge of is what might have transpired on the street—general talk or conversation.

Q. Were you a party to any such conversations ?—A. Not in any special way that I can remember.

Q. Then you were a party to the subject of organization in conversations coming up on the street ?—A. I have heard it discussed on the street.

Q. Who were the parties that discussed it ?—A. I don't know that I could point to any individuals. I referred in a general way to the whole of the men.

Q. Were any of them members of this joint executive ?—A. No, I never heard them discuss it on the street that I know of—that is the general board.

Q. Then I am to understand that as far as you know, there never was at any time, in any place, a discussion between any two or more members of that joint executive upon the subject of organization of Chinese ?—A. Not to my knowledge—not that I am aware of.

Q. I am to understand that no other measure, outside of financial measures, was suggested at that meeting, or between any two or more members in order to ensure the success of the strike at Ladysmith ?—A. No, that was not all that was discussed by the board—neither was it all it was called for.

Q. What other matters were discussed ?—A. Matters regarding something being done in a joint form regarding trying to show our approval at the House at Victoria of the conciliatory bill which was being brought forward. That was one object we had in view.

Q. A deputation from the executive did go to Victoria ?—A. Yes.

Q. What day was that ?—A. I am at a loss to tell.

Q. Did they go to see the government, or any member of it ?—A. Yes, the government.

Q. Did they go to see any member of the government about enforcing the provisions of the Bill then passed ?—A. They waited on Mr. McInnis.

Q. Did they go to see him about sending up an inspector to see that the Chinese were taken out ?—A. No.

Q. Did they suggest to him that the inspector should be sent up ?—A. No.

Q. Were you a member of that deputation ?—A. Yes.

Q. What was the subject of the interview ?—A. The subject of the interview was to try and get—we were instructed to inform Mr. McInnis—he had introduced a conciliation bill, and we approved as a union of that bill—and also to try and arrange a settlement at Ladysmith. That was the more particular business of the joint committee. Still, all things were the business of the committee.

Q. The question of sending the inspector was not mentioned ?—A. Not at all.

Q. About this telegram on March 9th to James A. Baker, Slocan—'Urgent request for your presence, come to Nanaimo if possible immediately—' Just explain what is meant by that telegram ?—A. As near as I can remember that telegram for the calling on Mr. Baker was in connection with—was simply sent from Nanaimo as forwarded

on from Ladysmith in connection, I think, with the organization of the miners at that town—as a request. I believe that is the same telegram.

Q. Then the object of this telegram was to come and organize the miners at Ladysmith ?—A. Yes.

Q. Why did you send it ?—A. I think I am mistaken, your Lordship; there are so many telegrams. I think I am substituting that telegram in the wrong place. That is the telegram that was sent rather—I remember now—that is the telegram that was sent—there were two sent—in connection with the possible trouble that we had in sight at our own place, and we wanted Mr. Baker there in connection with our own trouble, and I was requested to send for him immediately. That is the telegram.

Q. What trouble was in sight ?—A. That was in connection with the local dispute that occurred there; in the month of February, I think it was.

Q. When was that local dispute settled ?—A. That was settled about the latter end of February.

Q. I think you must still be mistaken, Mr. Shenton, because this telegram is dated March 9, so it cannot have anything to do with that dispute ?—A. Yes, your Lordship, but the matter was under way for three or four weeks, pending.

Q. But you told us the dispute was settled the end of February, and here is the telegram sent on March 9, asking Mr. Baker to come immediately. You also say there is an urgent request for his presence ?—A. Yes, it is in connection with the matter on hand then; it extended over a period of three or four weeks.

Q. But you tell us that particular trouble was settled at the end of February. I am reminding you that this telegram is dated March 9, and the strike at Ladysmith took place on March 11. In view of that, is not your first answer the correct one ?—A. (None.)

Mr. Rowe.—I think it must be, because Mr. Baker said he was called about March 10; he said that in his evidence.

A. I am not able to recall; I am not clear. I am sorry.

By His Lordship :

Q. Is it not clear that the object of the telegram was to request him to come and organize the men at Ladysmith—this telegram on March 9, sent by you ?—A. I cannot recall the matter clearly.

Q. It is the reasonable and obvious conclusion that that is the meaning of the telegram, is it not ?—A. It seems so, although I thought— I know there was a second telegram urging Mr. Baker to come immediately in connection with our trouble. I have forgotten the date.

By Mr. Rowe :

Q. Did he come ?—A. Yes, he was at Nanaimo during the dispute, as speedily as he could be got there.

By His Lordship :

Q. He answered on March 10 that he would leave Fernie for Nanaimo 'to-morrow morning' and he himself says in his evidence that he was sent to organize. I suppose there is no difficulty in coming to the conclusion that this is the telegram ?—A. Yes, I guess it must be. I cannot just recall all the telegrams. We had our own trouble somewhere about that time.

Q. Who requested you to send this telegram ?—A. The request of Ladysmith.

Q. Who at Ladysmith requested you ?—A. I think it was Mr. Mottishaw, if I am mistaken.

Q. Why should they not have sent the telegram direct, instead of through you ?—A. Well, I don't know that they have any telegraph office at Ladysmith.

Q. Yes, there is a telegraph office at Ladysmith ?—A. Yes, that is right; I don't know why they did that.

THOMAS J. SHENTON—Vancouver, June 3.

Q. Who paid for this telegram ?—A. The Ladysmith—Mr. Mottishaw.

Q. They paid for it ?—A. Yes.

Q. Didn't you pay for it at the Nanaimo office ?—A. Not that I am aware of.

Q. How did you get the telegram from Ladysmith ? How were you instructed to send this telegram—by letter ?—A. If my memory serves me right, Mr. Mottishaw came into town on the day.

Q. Why didn't you ask him to send it himself ?—A. Well, usually as men knowing each other, we will help each other in that regard. He simply asked me to send it for him.

Q. If that is the case, why should you ask Baker to come to Nanaimo, rather than Ladysmith ?—A. I cannot see that there was any special reason why, Mr. Hunter.

Q. Is it not the obvious inference that it was intended to discuss the matter before proceeding to Ladysmith ?—A. No, I think not. The only connection I have with that circumstance is the fact of my being called on, and that was to suit his convenience in regard to sending that telegram; that is all.

Q. And you say it is a wrong inference to suppose that Mr. Baker should have a discussion with you and other Nanaimo leaders before he proceeded to Ladysmith. Is that correct or wrong ?—A. I think that is correct simply from the fact, as I have stated previously in my evidence, that we always tried to keep out of the matter because the Ladysmith men, or Dunsmuir's employees, had been feeling a little sore with Nanaimo men having anything to do with the matter, and we tried to keep out of it as much as possible.

Q. If that is the case, why didn't you tell Mottishaw to send the telegram himself ? —A. In the first place, he is a poor writer; it was only a matter of convenience.

Q. But you could have signed Mottishaw's name to the telegram ?—A. Yes, I could have; I cannot just say now why I signed my own name. I am willing to confess my name was signed.

Q. I don't see why you make so much mystery over the matter, Mr. Shenton. You would naturally like to see a union at Ladysmith, as a union man ?—A. Yes.

Q. And you would naturally do all you could with Mr. Baker to suggest the best way of doing it, would you not ?—A. Well, that was not the reason why he was sent for to come to Nanaimo.

Q. What was the reason why he was asked to come to Nanaimo ?—A. As I have said, I don't know that there was any special reason that I could give.

Q. Then you don't want us to infer that it was the intention that you and he should have a talk over the matter before he proceeded to Ladysmith ?—A. No, I don't.

Q. Yet, it is the obvious inference, is it not ? Is that not so ?—A. Well, it may appear to be so, but at the time, as far as my knowledge goes, that was not so.

Q. Why was he to come immediately to Nanaimo ? What was the urgency ?—A. Well, of course that meant immediately to Ladysmith I guess

Q. What was the urgency ?—A. The only urgency that I know is that the men had stated they wanted to organize at Ladysmith, and they wanted him there to organize them.

Q. Now, did Mr. Baker show you a telegram which he sent to Moyer asking Moyer to come to Nanaimo?—A. Yes, I believe I have seen the telegram. (This telegram was in cipher.)

Q. So that Mr. Baker and you were discussing this matter together evidently ?—A. Well, at times of course, naturally so. Mr. Baker and myself talked the matter over; that was only natural.

By Mr. Rowe :

Q. Did you see Mr. Baker before he went to Ladysmith, when he came to Nanaimo?—A. If I did see him it was just on matters of his business there. I don't remember having any conversation with him at all when he came to Nanaimo.

THOMAS J. SHENTON—Vancouver, June 3.

Q. He would naturally want to know why you sent for him ?—A. Of course the Ladysmith men—that is Mr. Mottishaw—knew he was coming and the time he would be there, and we waited and received him there, to conduct him down to Ladysmith.

By His Lordship :

Q. Did Mr. Baker show you a telegram dated March 14, in which Moyer tells him he has full power to act for the Federation ?—A. Yes, I think I have seen that.

Q. So that there is no doubt that Mr. Baker and you were consulting frequently about the organization of these men at Ladysmith, and about the strike generally ?—A. Mr. Baker often came to me with either letters, communications or telegrams from Moyer, and would read them to me.

Q. And Baker was taking advice from you as to how to conduct the affair ?—A. Not that I am aware of.

Q. He would naturally take advice from somebody on the subject ?—A. I don't know as to advice; we simply had talks over the matter.

Q. He was consulting with you from time to time ? That is the evidence by this correspondence, is it not ?—A. Well, if he took advice from any discussions that we had. Of course I don't know anything about it.

Q. Well, he was discussing the matter with you anyway ?—A. Yes.

Q. Who else did he discuss it with ? I mean of the Nanaimo men ?—A. He had a few conversations with the president; I cannot say how many times they met.

Q. That is Mr. Neave ?—A. Yes.

Q. And I suppose you and Mr. Neave had discussions about the situation ?—A. Yes.

Q. He is president, and you are secretary of the union ?—A. Yes.

Q. When did Baker get to Nanaimo ?—A. I don't remember the date of that either.

Q. About the 11th or 12th of March, was it not ? Because he sends a telegram to Moyer on the 13th from Nanaimo, and you asked him to come on the 9th, so he must have come between the 11th and 12th ?—A. Yes, somewhere between those dates.

Q. Were you at Ladysmith about that time ?—A. No.

Q. How long before that were you at Ladysmith ?—A. I don't know how long before that.

Q. You had a conversation with Mottishaw about the advisability of organizing the Ladysmith men ?—A. He had a conversation with me regarding the matter, yes.

Q. When was that ?—A. Previous, I think, to the time of organization; I cannot just remember the date. He had a conversation with me.

Q. I suppose you suggested it would be a good idea to organize the men ?—A. I simply did not volunteer the suggestion that it would be.

Q. You coincided in the view that it would be ?—A. That was dependent on the fact of their seeking for organization. As I stated in my evidence previously, there had been several representations made to Nanaimo.

Q. You were favourable to the idea of them organizing, were you not ?—A. Yes.

Q. Did you discuss the matter with anybody besides Mr. Mottishaw—I mean among the Ladysmith men ?—A. No person that I know of outside. I may have discussed it once with the son—with the father and son; I don't remember any individual in particular.

Q. Did you have any correspondence by letter or telegram with anybody in Vancouver about the strike here, or about the strikes on the Island ?—A. I had one about a strike here.

Q. With whom ?—A. We had one in connection with the union—J. H. Halton, I think, is the agent.

Q. Who is J. H. Halton ?—A. Agent for the U. B. R. E.

Q. What was the nature of that communication ?—A. As near as I can remember —Of course as I stated before, I would like to say that I am taking the responsibility of doing what our union has really forbidden we should do.

Q. We understand all that. We understand that you are giving evidence under compulsion, but it is in the public interest that the whole matter should be set forth. What was in that communication ?—A. The communication was to the effect that coal was coming from Nanaimo to Vancouver.

Q. Yes, what else ?—A. Well, simply asking that we look into the matter, that is all.

Q. Have you got that telegram you have been subpœnaed to produce here ?—A. Yes.

Q. These are all the papers you are producing under the subpœna ?—A. Yes.

(Papers produced marked Exhibit 24.)

Q. Just read that please—'Coal coming to Vancouver said to be from Nanaimo; please say.'—A. Yes, that is it.

Q. What reply did you make ?—A. The reply I gave is underneath—well, the reply I did not take a copy of. The reply is contained in the report given to the meeting there. It follows in the report.

Q. You informed them of the fact that no coal was coming from Nanaimo ?—A. Yes.

Q. Had the Nanaimo mines been supplying coal to Vancouver, what would you have done—I mean to the C. P. R.?—A. Well, all I could say is, to take the responsibility in that connection—all I could say was that the feeling was of course to persuade the company from sending coal by reasonable methods.

Q. You would feel it your duty to endeavour to dissuade the company from supplying coal ?—A. Yes.

Q. And I suppose if the company didn't fall in with your view you would have considered it a proper thing to strike, on a certain length of notice ?—A. It is hard to relate what would be done under that circumstance.

Q. Would you consider your union would be justified in doing that ?—A. I don't think they hardly would. That is the feeling of the men.

Q. Why don't you think so ? There is a difference of opinion among union men as to that ?—A. Yes.

Q. Would you say it would not be justified ?—A. Well, locally it is looked upon by a large body of our men that it would be injuring the local industry to some extent, assuming they were consistent with us—that we had no right to injure the local industry in that regard.

Q. Did you have any further correspondence with any of the strikers in Vancouver ?—A. No, I have no other; that is all the correspondence at present.

Q. Did you have any correspondence with Moyer ?—A. Yes, it is there.

Q. You got this telegram: 'March 3, T. J. Shenton—Use your best efforts to prevent the C. P. R. from getting coal at Vancouver. Assist strikers all you can'?—A. Yes.

By Mr. Bodwell :

Q. What is the date of that, your Lordship ?

By His Lordship :

Q. It is probably March 3 or March 5—it may possibly be March 6. And you answer that on the same day ?—A. Yes.

Q. So it was agreed March 6—'We will render all assistance possible—.' That is right ?—A. Yes, that is correct.

Q. Now, what did you do ?—A. That is contained in the report. We approached the cmpany and asked them if that was so, and they stated they had not supplied any coal to the C.P.R. for the last four or five years. Of course, the matter dropped right there.

Q. There is a telegram here from Craig, of March 30. Who is Craig ?—A. I think I replied to that in Nanaimo; he is at Fernie.

Q. Oh, yes: that is where you say there were some men in Nanaimo whom it advised not to go to Fernie looking for work ?—A. Yes.

By Mr. Rowe :

Q. Can you explain why that telegram should have come to you. I notice that Mr. Baker wired that same day to Fernie, March 30, the date before the strike apparently was closed ?—A. Why that telegram was sent out by Mr. Craig ?

Q. Yes ?—A. Well, I could not answer that, Mr. Rowe. It was simply sent to me. It was just as much a surprise to me. I have had very few communications with Mr. Craig at all in any way.

By His Lordship :

Q. Was this a matter of the supplying of the coal, about which you reported, discussed in the union meeting ?—A. The matter was laid before the executive at first.

Q. Discussed before the executive ?—A. Yes.

Q. In an open meeting ?—A. That is where I got my instructions to see the company.

Q. The matter was not discussed in an open meeting of the union ?—A. It was laid before the meeting in a report, as stated there.

Q. Was the matter discussed at the general meeting ?—A. No lengthy discussion passed upon it to the best of my memory, any further——

Q. When the request came to use all efforts to prevent coal from being supplied to the C.P.R., was that request submitted to the men in open meeting, or was it acted on by the executive ?—A. That was submitted to the men. That came after the letter from here, I think.

Q. No, that telegram of Moyer is March 6, and your report is March 28 ?—A. Yes.

Q. The telegram of Mr. Moyer was laid before the union or just the executive ?—A. Before the union.

Q. I mean before the executive took action on it, was it laid before the union ?—A. Yes.

Q. At a meeting specially called ?—A. No, a general meeting.

Q. And was there discussed. Were the executive instructed by the meeting to do anything ?—A. Not in regard to the Moyer telegram. Simply the action was initiated by the executive regarding the reply given.

Q. Did the executive go to see the management with the sanction of the union ?—A. Yes, they sent me to see the management.

Q. Did the union deal with the matter without consulting the union as a whole ?—A. They simply advised me that I ought to see whether that was true.

Q. You say, Mr. Shenton, that when you got this telegram the executive instructed you to see the management ?—A. Yes.

Q. And you got your instructions from the executive without the union having first been called to consider the matter ?—A. Yes, the executive suggested that I had better approach the management, and then it could be introduced to the meeting on the following Saturday which was closely following. That was what was done.

Q. I understood you to say that this telegram from Moyer to Baker of April 22 instructing the organization of the Chinese and Japanese was not shown to you ?—A. No, not at all. Until you showed it to me, I never saw it before I was at Nanaimo.

Q. Well, Barber told you in confidence about this telegram ?—A. No.

Q. Did you have a conversation with Richards up at Cumberland about organizing the Chinese ?—A. No.

Q. No conversation whatever with him on that subject ?—A. No.

Q. You gave an account to Richards of your conversation with Baker, didn't you ?—A. Gave an account to Richards ?

Q. Yes—of your conversation with Baker at Nanaimo ?—A. I did in the connection of being sent there, the reason why I was sent, &c.

Q. You state you gave Baker a full report of how matters were coming up in Cumberland ?—A. Yes.

Q. And you say you had no conversation with Richards about the Chinese ?—A. No.

Q. And that he didn't think the idea of organizing the Chinese a good one ?—A. I cannot remember any expression of opinion from him along that line at all.

Q. Did you have a conversation with anybody else besides Mr. Hall up there about the Chinese ?—A. No, I am not aware that I had any conversation there with any one outside of Mr. Hall on that subject.

Q. Have you confidence in Baker, as a leader of this union ?—A. Well, up to the present time I cannot say that I have had anything to tempt me to feel that I could not have confidence in him.

Q. Do you think he is a safe man to be entrusted with the powers that he has ?—A. Yes, I think he is a fairly safe man, as far as I know Mr. Baker.

Q. I think you told us that you knew nothing of his intention to organize the Chinese or Japs ?—A. No, I don't know anything.

Q. You were never consulted about that at all ?—A. No.

Q. There is no one in the Nanaimo union who has a better right to be consulted on such matters than you, is there ?—A. No, I guess there is not.

Q. So that it is not likely that he would consult anybody if he didn't consult you ?—A. Well, he didn't consult me; I cannot say whether he consulted anybody else.

Q. You saw this telegram from Baker to Moyer of 13th March, which is in cipher —'Can you come here, important, answer'—that is what it means when translated ?—A. I never saw the telegram.

Q. You never saw the telegram of March 13 ?—A. Not in connection with his asking him to come. He informed me regarding the matter.

Q. He told you he had sent a telegram ?—A. He told me he had asked Mr. Moyer to come; I don't know whether by telegram, letter or how.

Q. He didn't show you the telegram he sent ?—A. No.

Q. Did you see any telegram from Russell to Baker of May 9 ?—A. Russell ?

Q. Yes ?—A. What is the initial ?

Q. F. J. Russell ?—A. No.

Q. I suppose you kept yourself posted in relation to what was going on in relation to the U. B. R. E. strike ?—A. Well, I don't know that I have, your Lordship; I don't just exactly know.

Q. You felt an interest in the struggle, did you not ?—A. I felt an interest this way—the same as any man would be as a union man.

Q. Naturally desirous of seeing them succeed, I suppose ?—A. Yes.

Q. Is this all the correspondence you have had with any of the U. B. R. E. men ?—A. Yes.

Q. Have you had any correspondence of any account with Estes ?—A. We had a letter at the commencement, I think—the commencement of the strike—from Mr. Estes—just one, to the union.

Q. Where is that letter ?—A. I have not got it here. I looked it over. I could have brought it if I thought there was anything in it, but there is nothing relating to the situation, no more than to intimate something about the strike, giving the men encouragement, &c., anything in the form of working for encouragement.

Q. Mr. Shenton, that letter is distinctly covered by the subpœna; that letter should be here ?—A. I can send it on. There is nothing more in it than any of the letters that I have brought.

Q. You had better telegraph for that letter, Mr. Shenton, and any further correspondence that you have. I don't understand why you came to consider that that

letter was not required. We will have to allow this examination to stand until you can produce that letter. You had better get it by wire ?—A. I can get it.

Q. And any further correspondence that you have ?—A. There is no more.

Q. What time does the boat come in to-morrow ?—A. Between ten and twelve, I expect.

Q. Then your examination will have to stand until you produce the letter. You will send a wire for that to-night, Mr. King will pay the expense of the telegram ?—A. Yes, I can send for it.

Mr. BODWELL.—Might I ask Mr. Shenton one or two questions ?

HIS LORDSHIP.—Very well.

By Mr. Bodwell :

Q. I understand you to say that Mr. Baker was in Nanaimo in February ?—A. Yes, I believe so.

Q. You will know. Was he not in Nanaimo in February ?—A. I am not clear upon the dates.

Q. I mean generally—a week or ten days, or as long as that ?—A. Yes, two or three weeks.

Q. And he came from Sandon to Nanaimo ?—A. I don't know what point in particular he came from.

Q. Do you know whether he came by way of Vancouver to Nanaimo ?—A. Yes, I think he did.

Q. And do you know whether he stayed in Vancouver for any length of time on his way to Nanaimo ?—A. Well, I could not answer; I don't know, Mr. Bodwell; I don't remember.

Q. Do you know whether or not he saw Mr. Estes in Vancouver, didn't he tell you he did ?—A. No.

Q. Didn't he talk to you about a strike in Vancouver ? The strike in Vancouver was in February ?—A. Yes, in February.

Q. Didn't Mr. Baker talk to you about the situation of affairs in Vancouver when he was in Nanaimo in February ?—A. I had the least of talk with Mr. Baker regarding the situation in Vancouver.

Q. Here on March 6, you get a telegram from Moyer to use all your efforts to assist the strike in Vancouver. Did Mr. Baker talk to you about the strike in Vancouver when he was in Nanaimo in February, and don't you know of communications between him and Moyer on the subject ?—A. He talked the least to me about the strike in Vancouver it was possible to talk at any time.

Q. Yes, but didn't he talk to you about it, and about the plans of the Western Federation in regard to it ?—A. Not at all.

Q. You must have known the plans of the Federation when you got this telegram on the 6th of March ?—A. I didn't know their plans.

Q. That is all you got ?—A. Yes, that is all I got.

Q. You had no conversations ?—A. No conversations.

Q. Is that reasonable ? Here is Mr. Baker, the organizer—By the way, why didn't you tell me about this telegram from Moyer, when I was asking you in Nanaimo about Estes ?—A. I said that—that does not refer to Estes.

Q. Yes, but if you had said you had a telegram from Mr. Moyer it would have opened this whole thing up ?—A. If you had asked me about it I would have produced it.

Q. Didn't you know about this telegram at that time ?—A. Yes.

Q. And didn't you know this was in consequence of a communication from Estes to Moyer, asking him to call out the Western Federation that you got this telegram ?—A. No, I didn't know that.

Q. Don't you know it now ?—A. I would have to surmise it.

Q. Don't you remember that I asked in Nanaimo whether Estes' statement that he had communicated with Moyer or the Western Federation as to calling them out was true or not?—A. Yes, I remember that quite well.

Q. And you said you didn't know anything about it?—A. Yes, I did.

Q. Do you think that was a frank answer, in view of the fact that you have this telegram asking you to assist the strike in Vancouver?—A. The question you placed before me was in reference to the telegrams produced by Mr. Estes.

Q. Didn't I ask you if you believed it were true that Estes had communicated with Moyer or the Western Federation, asking them to come out? What answer did you give to that?—A. If you asked me if it was true?

Q. I asked you if you believed it was true. What answer did you give?—A. I recollect you asking me if I believed it was true, if he had power given him by the Western Federation to call out the men, and I said, no.

Q. I asked if you believed it was true that Estes had communicated with the Western Federation, asking them to do this. Do you believe it is true that Estes communicated with Denver, asking them to call out the Western Federation in sympathy with the strike in Vancouver?—A. It looks as though he must have done it.

Q. Don't you know, outside of anything you have told us yet, that this is the exact state of affairs?—A. No, I don't know from real facts.

Q. You want us to believe that, having all these communications from Mr. Baker, and having all these conversations with Mr. Baker, he never alluded to that subject?—A. No, he never alluded to that subject, that I know of.

Q. What are you keeping back now?—A. I am keeping nothing back.

Q. But you kept this back?—A. Did you ask me that?

Q. I am asking you now whether you are pursuing the same line you did before? Are you simply answering questions, and keeping back all the necessary information?—A. I am answering questions.

Q. I am asking you to tell this Commission what you know about the actions of Estes towards the Western Federation in connection with the Vancouver strike?—A. I am telling this Commission everything I know to be true and the fact. I cannot remember every detail and every point.

Q. You had several conversations with Mr. Baker when he was in Nanaimo in February, you telegraphed Mr. Baker when he came to Nanaimo in March, you were sent by Baker to Union when he left Nanaimo, and you had conversations with Baker during the time he was in Nanaimo, after this Commission began to sit, and before he went to the convention at Denver. Now, I want you to tell us if, in any of these conversations, Baker did not allude to the situation at Vancouver?—A. I am not aware of any allusions being made in my presence.

Q. I want you to tell the Commission whether you discussed with Baker the subject of this telegram from Moyer to you of March 6, to assist the strikers all you could?—A. No, I think not.

Q. You never mentioned it to Baker?—A. No, I don't think so.

Q. And you had no instructions from anybody as to what policy was to be carried on by you in carrying out these instructions?—A. From nobody.

Q. Then it was left entirely to your discretion as to how you were to assist?—A. Our own executive.

Q. I am speaking about the executive officers of the Western Federation—Baker or some other executive officer?—A. I say I had no instructions whatever.

Q. And did you at no time know what the plan for assisting the strike at Vancouver was?—A. No, outside of financial support, which they might be expected to give in due season.

Q. Don't you know that Estes said the Western Federation had promised him to call out all the coal miners on Vancouver Island? Didn't you have any conversation with Baker on that subject?—A. None whatever, at no time.

Q. Never heard that that was the plan?—A. No, from Baker or any one else.

Q. Well, on March 6 Moyer telegraphs you to assist the strikers at Vancouver all you can; on March 9 you telegraph Baker to come to Nanaimo; on March 10 Baker arrives at Nanaimo; on March 13, 14 and 16 he organized the miners at Ladysmith, and there is a strike; on March 16 the Steamshipmen's Union are called out and the C.P.R. steamboats are tied up, or an attempt made to do so. Did you know nothing about the relation which these movements had one to the other—A. None whatever.

Q. And prior to that Estes had said in Vancouver that he was going to close all the coal mines on Vancouver Island, so as to stop the C.P.R. getting coal, and on March 25 F. J. Halton telegraphs from Vancouver, asking you where coal is coming from that the C.P.R. are getting. I want to know what you know about all these coincidences, and the relation they had from one to the other?—A. I have simply stated what I know.

Q. Then we are to understand that Baker was treating you in the same way as he treated the men of the joint executive, when they met in Nanaimo, and did not disclose to you, as he did not disclose to them, the fact that the union miners were to be called out in sympathy with Ladysmith. Are we to understand that; that Baker was deceiving you or misleading you in the same way as he misled the joint executive?—A. Well, you may put whatever construction upon it you may; my answer is still the same. I knew nothing whatever and neither did the executive board know anything to that effect.

Q. Don't you believe now, from what you have seen in the correspondence, that Baker was acting under instructions from the Denver executive in conjunction with Estes, and that the plan was to prevent coal coming to the C. P. R.. Don't you believe that now?—A. Well, it has a likeness to that. But, why should I be made responsible for believing that?

Q. I ask you if you don't believe it from what you have seen, and from what you know—if you don't believe that Baker and Estes were acting together?—A. I prefer to believe not, until I have had an opportunity to approach the proper quarters—in this case of being misled. While things point to that possibly being true, yet up to the present time we have had no opportunity of getting particulars in that direction, I won't take the responsibility of saying I do believe.

Q. What steps will be necessary on your part to ascertain whether your belief is well founded or not?—A. The necessary steps of course would be to approach the Western Federation or Mr. Baker himself.

Q. Did you write anything to Mr. Moyer in response to this telegram of March 6? Did you make a report to him?—A. The report is there.

Q. 'We will render all assistance possible——'—A. That is all.

Q. Didn't you have any letter from him?—A. No more than we have there; I produced all the letters.

Q. When you stated you would render all assistance possible, what did you refer to?—A. I referred to just the action taken.

Q. But your instructions were to use your best endeavours to prevent the C.P.R. from getting coal at Vancouver; you said 'We will render all assistance possible——' What did you intend to do to prevent the C.P.R. getting coal at Vancouver?—A. Simply to ask the company to abstain from sending coal.

Q. Didn't you intend to organize the Cumberland and Ladysmith miners with what end in view?—A. Not at all.

Q. Is it not a strange coincidence, that you were engaged in organizing the Ladysmith miners?—A. Me? No.

Q. You say Mr. Mottishaw came to you with reference to organization at Ladysmith?—A. He came to me, and indicated to me——

Q. When did he come—about March 9 or March 6? I want you to note these dates. On March 6 you got a telegram from Moyer, to use your best efforts to prevent the C.P.R. getting coal at Vancouver. On March 6 you answer: 'We will render all

assistance possible.' On March 9 you telegraph to Baker: 'Your presence urgently needed at Ladysmith.' Now, was that telegram sent to Baker in pursuance of your promise to Moyer in the telegram of March 6?—A. Not by any means; no connection, as far as I can see.

Q. Then, when Mr. Mottishaw came to ask you to telegraph to Baker to organize Ladysmith, you did not think that that move would prevent the C.P.R. from getting coal?—A. Irrespective of that or not. That was not the idea or thought at all. It had no connection whatever.

Q. And the fact that on the 16th the Ladysmith miners were organized and insisted in pressing a demand on the company which you knew the company would not accede to—you knew the company at Ladysmith would not recognize the Western Federation, didn't you?—A. I didn't know.

Q. Were you not sure of it, with all the experience you have had with Mr. Dunsmuir—were you not sure he would not recognize it?—A. There was still a possibility.

Q. Were you not thoroughly convinced he would not recognize a union?—A. No.

Q. And didn't you know that if you got the Western Federation organized at Ladysmith, they would demand recognition, and there would be a strike immediately—didn't you believe that?—A. I believed these things were possible in the trend of things.

Q. Didn't you think that was going to happen? Didn't you think in your own mind that that would be the result of the action? If the Western Federation was organized, they would demand recognition, Dunsmuir would refuse it, and there would be a strike—didn't you think that was the course?—A. I foresaw that was possible, but we didn't expect that.

Q. Will you swear that you did not expect that result would follow?—A. Well, we were hopeful it would not.

Q. Did not you expect it—that is the answer I want from you?

By His Lordship:

Q. If I were you, Mr. Shenton, I would give such an answer as would commend itself to the intelligence of the audience?—A. I am trying to do that, but I don't want Mr. Bodwell to argue it into a position where I shall make a false statement. I did not expect that Mr. Dunsmuir, under these circumstances, would, so long as the men continued at their work, that he would do as he had done in the past. We were hopeful that he would do better.

By Mr. Bodwell:

Q. Well, you have not answered my question. You have been in Nananimo how many years?—A. I was away some four years; I came early in '93.

Q. You knew Mr. Dunsmuir had refused to recognize the union when it was started at Wellington, from common report anyway?—A. Yes, common report.

Q. You knew, as a matter of history, that he had refused to recognize a union at Union mines?—A. Yes.

Q. And at Alexandria mines?—A. Yes.

Q. And you knew that he had expressed himself, over and over again, to the effect that he would not have a union among his men?—A. Yes.

Q. Now, I ask you, if you did not expect, when you organized the union at Ladysmith, that they would demand recognition?—A. Yes, I expected they would demand recognition.

Q. And didn't you expect that Dunsmuir would refuse it, as he had always done in the past—did not you look for it?—A. It was most likely, of course.

Q. Well, if the union was organized at Ladysmith, and demanded recognition, and it was refused, there would be a strike—did you not expect that? If they demanded recognition and Dunsmuir refused, there would be a strike?—A. I don't know;

if Mr. Dunsmuir preferred to allow the men to work without demanding recognition of the union.

Q. You know the kind of man Mr. Dunsmuir is, so you know it would be refused, and didn't you expect a strike would follow ?—A. Well, of course, I did.

Q. And would not a strike at Ladysmith shut off the C.P.R. supply of coal, to the best of your knowledge and information ?—A. Yes, it would.

Q. And would that not be carrying out your promise to Moyer that you would do all you could to prevent the C. P. R. getting a supply of coal ?—A. As I say, it was irrespective of that—that was not the intention. Organization alone was the intention.

Q. Does it not strike you as singular that it works out in that way ?—A. Yes.

Q. And now you tell us that subject was never mentioned or discussed between you and Baker ?—A. Never.

Q. What did you discuss with him as to the steps you would take to carry out your promise to Moyer to do all you could to shut off the C.P.R. coal ?—A. Did not discuss anything.

Q. Then this was a plan originated by you—is that right ?—A. No, it is not a plan originated by me with regard to the organization.

Q. Well, but the organization at that particular time, to produce that particular result was a plan originated by you ?—A. No.

Q. It was not suggested to you by anyone else, or if so, who suggested it ?—A. Representations were made from Ladysmith asking for organization.

Q. Yes, but the plan of organization at Ladysmith just at this particular juncture—who suggested that ?—A. No one.

Q. Then it was a plan originated by you ?—A. No, it was not.

Q. You and Mottishaw were the two men who consulted between you as to how the thing was to be done in Ladysmith ?—A. It had its origin long before that.

Q. Well, we know not so very long; but the conversation between you and Mottishaw occurred at this particular juncture ?—A. Yes.

Q. And Mottishaw came to Nanaimo to ask you to get the organizer there just at this particular juncture ?—A. No.

Q. Well, he came on March 9 ?—A. It was decided at a meeting in Ladysmith to send for Mr. Baker.

Q. It was not decided at a meeting at Ladysmith until after the 11th or 12th ?—A. That is, of the telegram.

Q. But the telegram is on the 9th, so it could not have been that time—it could not have been on the 9th. I think the 15th is the date. The meeting was on the 8th.

Mr. Rowe.—Sunday, the 8th.

Q. So that was simply a coincidence then ?—A. So far as I know.

Q. You say there was a great deal of soreness in the Dunsmuir mines about organization being started in Nanaimo ?—A. Yes.

Q. Mottishaw is practically a Nanaimo man ?—A. Yes.

Q. He lives there, but has not been really working in the mines much in the last year ?—A. I don't know whether that is true or not.

Q. You at any rate are a Nanaimo man. Now, who else was taking an active part in the preliminaries leading up to that organization ?—A. I cannot tell you.

Q. You would know, would you not ?—A. I have stated previously, quite a number of men came from Ladysmith reporting the fact that the men felt desirous of organizing.

Q. Who were they ? Can you tell me the name of any man who was permanently fixed in Ladysmith, and had been working in the mines for any considerable time, who came in and made that report ?—A. I said there were men who had been down there, and they were informed to come in and report.

Q. Was Mr. Higney one of them ?—A. I don't know the gentleman at all.

Q. When did this report begin to come in, in February?—A. Probably earlier than that—I am not sure.

Q. Don't you think it was in February?—A. It might have been before that time.

Q. But was it before that time to the best of your recollection?—A. I cannot say exactly.

Q. And was it not during the period that Baker was in Nanaimo that you began to get these reports that the men at Ladysmith were desirous of organizing?—A. Several reports came in during that time, yes.

Q. And that is another coincidence?—A. Yes, that is another coincidence.

Q. And your recollection is that Baker stopped at Vancouver on his way over to Nanaimo, when he came in February?—A. I cannot say that; I cannot recollect.

Q. You think it is so, as a matter of fact?—A. I cannot think so; I don't remember.

Q. Who sent for Baker, when he came to Nanaimo on that occasion in February?—A. That is the point regarding the dates of the different telegrams that I got confused on, and I am sorry to say I don't clearly recollect, but I know there was a telegram sent from ourselves asking, in almost similar words, for Mr. Baker to come regarding the dispute that was on.

Q. You can't remember how he came, or what route he took to get there?—A. I don't know the route he took.

Q. You saw Mr. Hall at Union and had a conversation with him?—A. Yes.

Q. And didn't you tell him you were deputized by Mr. Baker to organize the Chinamen and Japanese?—A. No.

Q. Although he says so, you deny that?—A. If he says so, yes.

Q. Let me call your attention to one or two further coincidences. Here is a telegram from Moyer to Baker, telling him 'we approve of calling out any and all men necessary to win at Ladysmith—organize Japanese and Chinese, if possible." That is on April 24?—A. I asked to be excused from the responsibility of saying that I saw that telegram, when I have declared——

Q. I mean you have seen it in court. You say you didn't see it at the time?—A. No.

Q. Apparently, as far as the evidence goes, it was received in response to a telegram from Baker sent to Moyer at the time of the joint meeting of the executive at Nanaimo, of which you were a member.

Mr. ROWE.—It would have to be earlier; the joint meeting did not meet until the 24th.

Mr. BODWELL.—It is the 22nd they had the meeting at Nanaimo.

Mr. ROWE.—As a matter of fact, the meeting was on Saturday and Sunday, April 25 and 26.

Q. On May 12, Mr. Baker writes to the secretary of the union at Cumberland: 'It was owing to the circumstances above mentioned that I did not go to Cumberland, as I wired you, I would get Brother Shenton to go instead.' So, you went to Cumberland in pursuance of a request from Mr. Baker?—A. Yes.

Q. Didn't he request you to go there, to carry out the instructions from Moyer to organize the Chinese and Japanese, if possible?—A. Not at all—never mentioned.

Q. Well, you had a conversation with Mr. Hall, the missionary among the Chinese and Japanese?—A. Yes.

Q. But he has sworn that you requested him to assist you to take preliminary steps to organize the Chinese and Japanese at Cumberland?—A. I have stated previously, and state again, that there must have been a mistake. It is untrue.

Q. He says you talked to him as if you had got a sudden excess of zeal to uplift the Chinamen, and that he considered the best way was to get the Chinamen into a union?—A. Place the responsibility on him; I say we had a conversation.

Q. What was the conversation, according to your idea?—A. He introduced the idea of the elevation of the Chinese by giving them the benefit of organization, and

I said also that it seemed to be a hobby with Mr. Hall. We were speaking generally—not as applied to the situation at all.

Q. Did you make a report to Baker of your trip to Cumberland?—A. Yes.

Q. In writing?—A. No, verbally.

Q. When and where?—A. I gave it to him in the Windsor Hotel.

Q. What did you say about the steps which had been taken to organize the Japanese and Chinamen?—A. I didn't say anything regarding that; I could not say anything.

Q. You did not mention the fact of your conversation with Mr. Hall?—A. Yes, I mentioned my conversation with Mr. Hall. I gave him the idea of Mr. Hall regarding the organization of the Chinese, and also that Mr. Hall suggested that copies of some constitution be printed in the Chinese language, in order to get them to understand and to get an appreciation of what organization meant.

Q. Then, we are to understand that, although Mr. Hall made the suggestion, you approved of it?—A. No, my own opinion is as stated. One serious objection that I have is, that they are an alien race and a menace to the white man in general.

Q. At what other time did you discuss the organization of Chinese, except in the conversation with Mr. Hall?—A. Well, as I have stated now. In Nanaimo I have heard the men, and possibly I have said some few things regarding organization of Chinamen.

Q. Did you think that if the Japanese and Chinese could be organized at Cumberland at this juncture that they would assist the strike at Cumberland?—A. Well, if they had been organized it would have assisted.

Q. That is another coincidence. That the idea of organizing the Chinese should come to your mind at this particular juncture?—A. The reason, as I have stated, that it was really through the papers, that the Western Federation of Miners had taken up the idea of organizing the Chinese and Japanese.

Q. And you went to Cumberland as a representative of the Western Federation of Miners, under Mr. Baker's instructions and you took up the subject of organization?—A. It was suggested to me.

By His Lordship:

Q. Did you go to Mr. Hall's house, or did he come to you?—A. I went to Mr. Hall's house.

By Mr. Bodwell:

Q. What did you go to Mr. Hall's house for?—A. He was recommended to me by some friends I had, and I went to see him.

Q. Mr. Hall says the first thing you asked him to do was to give evidence before the Commission—is that true?—A. That is not true.

Q. And the second subject of discussion was to organize the Chinese and Japanese?—A. That was not true—the first thing I said was that I advised Mr. Hall to go before the Commission. Mr. Hall had gone on discussing the Chinese and uplifting them by organization, and I said the Commission is coming up here, and I would suggest, as you understand the Chinese, that you go before the Commission and give them the benefit of your view.

Q. That is another coincidence. That at this particular time you went to Cumberland to call on Mr. Hall, that he should suggest the elevation of the Chinese?—A. Yes.

Q. And you approved in your conversation, of the elevation of the Chinese?—A. To some extent, yes.

Q. To what extent?—A. To the extent that as they are in the country we will have to deal with them.

Q. The first step in uplifting them was to organize them into some kind of body which a labour union could use. Is that right?—A. Well, we didn't organize them.

Q. Was that not the line along which your conversation proceeded?—A. The conversation proceeded along the line of uplifting the Chinese to an appreciation of organization.

Q. That was the line then? And you approve of uplifting the Chinese to such an extent that they could appreciate organization?—A. Referring to the future.

Q. At what time in the future was this process to begin?—A. As soon as they came to an appreciation of it.

Q. When were you to begin educating them?—A. There was no time stated.

Q. When were you to begin educating the Chinese and Japanese at Cumberland?—A. I don't know that that referred to Cumberland at all—it is the Chinese and Japanese of the whole of the country.

Q. You were talking in general terms of the whole of British Columbia?—A. Yes, their presence as affecting the white men.

Q. Did not charity begin at home, and was it not to begin in the field of the Reverend Mr. Hall?—A. Not as far as I am concerned.

Q. You didn't approve of that process of education and elevation?—A. Yes, I approved of it.

Q. Why should not Mr. Hall begin immediately to educate the Chinese at Cumberland to an appreciation of the benefits of organization?—A. He was quite ready to do that.

Q. He says the only thing that prevented him doing it was that you would not give a sufficient guarantee on behalf of the Western Federation?—A. Something was said about guarantees.

Q. He wanted you, on behalf of the Western Federation of Miners, if he organized the Chinamen to help your strike, that you would see that they got union wages?—A. Some such guarantee was mentioned.

Q. That if he organized the Chinamen to help your strike there you would guarantee on behalf of the Western Federation that the Chinamen would get union wages—is that not so?—A. I told him I could not be responsible for that.

Q. Is that not the condition that he wished to impose?—A. That is the condition he wished to impose.

Q. And you would not give it on behalf of the Western Federation?—A. I could not give it—certainly not.

Q. You didn't think the Western Federation wished to elevate the Chinamen to that extent?—A. I was not responsible in that regard.

Q. You told Mr. Hall you were there representing the Western Federation?—A. Yes.

Q. And he asked you on behalf of the Western Federation to guarantee union wages to the Chinamen? You stated you had no authority to do it?—A. He said, if the Japanese and Chinese were to be organized, it would be a natural thing they would have to get support.

Q. And if they were organized at Cumberland for the purpose of helping the strike, you should guarantee them union wages—is that right?—A. Well, yes.

Q. And you, on behalf of the Western Federation, were not authorized to give that guarantee?—A. Yes.

Q. And consequently the negotiations for organization fell through?—A. Not consequently; I knew nothing of it.

Q. The negotiations between you and Mr. Hall did fall through?—A. Certainly they did.

Q. They were broken off at the stage of the conversation when you refused to give that guarantee?—A. They never began, as far as Cumberland is concerned.

Q. You are contradicting yourself. Five minutes ago you said, in answer to a question from me, that Mr. Hall made it a condition of helping the strike, that they should be guaranteed union wages, and you could not give that?—A. Yes, I said that and more; I said I was not authorized to deal with that question at all.

THOMAS J. SHENTON—Vancouver, June 8.

His Lordship.—Then, he is mistaken. The question was: 'Did you understand from Shenton that the executive of the Western Federation of Miners at Denver would approve of the idea of organizing the Chinese?' And Hall said, 'Yes.'

By Mr. Bodwell:

Q. And that Moyer had telegraphed to organize the Chinese and writes that you were there to represent him, and yet we are to understand that you told Hall you had no instructions whatever on the question?—A. I told him I had no instructions whatever.

By His Lordship:

Q. Then, Hall was wrong when he said 'Yes' to that question?—A. Yes, he must have been.

By Mr. Bodwell:

Q. Then, why did you proceed with the negotiations?—A. I didn't proceed. He said that nothing of that nature should transpire; he took the whole matter in his own hands regarding the organization and uplifting of the Chinese. He said that if anything transpired in that direction, that the Chinamen would have to be treated right. I said I had no responsibility, and that I was not sent there for that purpose.

By His Lordship:

Q. Then, you say, Mr. Shenton, you went to Hall; he did not come to you?—A Certainly I went to Hall.

Mr. Bodwell.—I suppose we have got all the light on the subject we can.

By His Lordship:

Q. Mr. Shenton, you will see that any documents you have in relation to these matters are sent over?—A. I thought I had collected all. I remember the one I spoke of; it does not really seem to relate to the situation.

Q. We will be the best judges of that. Please go with Mr. King and send that telegram.

Mr. Foley.—I would like to ask a question or two. My learned friend tries to make it appear, as far as I can see, that the organization or their officers in Nanaimo are receiving instructions from an alien organization in this matter. Now, I desire to disprove that.

His Lordship.—If you are going into that, perhaps you had better wait until the whole examination is concluded. There will be some evidence coming from Nanaimo which may throw light on this question.

Mr. Foley.—I wish only to ask two questions.

Q. You received your telegram from Moyer after you had effected organization; that is, this telegram to use your influence to prevent coal going to the C.P.R.?—A. Yes, before organization on December 20.

Q. Then, your purpose in organizing was not for the purpose of obeying the alien organization; your purpose was not to obey them and assist the U.B.R.E. in preventing coal from coming in?—A. No idea at all.

Mr. Rowe.—You refer to the organization at Nanaimo?

Mr. Foley.—I refer to the Western Federation. He receives a telegram from Moyer, president of the Western Federation, requesting him to use his influence to prevent coal from coming here. This was after they had been organized at Nanaimo, which goes to show that they did not organize with the deliberate purpose of following instructions from Denver.

Mr. Bodwell.—It was after they organized at Nanaimo, but before they organized at Ladysmith and before they organized at Cumberland.

Mr. FOLEY.—It struck me that my friend here was trying to convey the impression that they organized in obedience to instructions for the purpose of assisting the U.B.R.E. instead of their own interests.

HIS LORDSHIP.—Of course it was in their own interests too.

Mr. ROWE.—Of course Mr. Foley understands that that telegram was previous to the Ladysmith organization and the Cumberland organization.

Mr. FOLEY.—I did not understand that.

VANCOUVER, June 4, 1903.

Mr. BIRD.—I file an affidavit of documents and an affidavit of F. J. Halton.

(Exhibits 25 and 26.)

I presumed yesterday, Mr. Commissioners, that when an order was made that each party file an affidavit of documents that such affidavit would conform practically to the rules of the Supreme Court. The document filed as a declaration by Mr. Richard Marpole does not pretend to conform to the practice of the Supreme Court.

HIS LORDSHIP.—Let me see the document.

Mr. DAVIS.—That is a declaration, your Lordship, that purports in clause 1 to set out certain documents referred to in schedule 1 of the declaration. It includes all other documents in the possession of the C.P.R. in schedule 2 as they stand together in a bundle marked 'A.'

HIS LORDSHIP.—It certainly does not comply technically with the rules.

Mr. DAVIS.—I would urge upon your Lordship what I said yesterday, that there were certain documents which we objected to produce, that we would produce them to the Commission and they could look them over and decide. My learned friend objects to producing certain documents. I think it is not necessary to argue about it, but I would suggest as to both the correspondence that the same course be adopted.

HIS LORDSHIP.—The difficulty is you don't tell us under oath what you have got; you don't show that. You say you have a bundle of correspondence and telegrams, but there is no way of identifying them.

Mr. DAVIS.—The same is in their affidavit; you can set out the documents in a bundle.

HIS LORDSHIP.—Provided you give the dates.

Mr. DAVIS.—It is not a matter of any importance. But what I suggested was, and I suggest that the same course be followed by the other side, that these documents we object to produce, on both sides, be put before the Commissioners, and for them to decide whether or not they are to be produced.

HIS LORDSHIP.—Yes, that is all right, but I want the oath of some competent person that the documents brought before the Commission are all the documents.

Mr. DAVIS.—You have that. It states that the documents set out in the affidavit and referred to under bundle 'A' are all the documents. I would suggest that the other side put the documents which they object to produce, in the hands of the Commission, and if the Commission thinks that any should be produced, all right, the same as our own.

HIS LORDSHIP.—You had better put in that bundle, Mr. Bird. The Commissioners will look over that.

Mr. BIRD.—What I particularly want is the blacklist of the C.P.R. against employees, and I want special service reports of special constables. I set out in the

affidavit of Mr. Halton that these special service reports are not prepared under any ground that would ordinarily obtain privilege for them. They are not prepared for the advice of solicitors or in any way that would entitle them to privilege.

HIS LORDSHIP.—You want what?

Mr. BIRD.—The C.P.R. blacklist.

Mr. DAVIS.—The C.P.R. never had a blacklist.

HIS LORDSHIP.—What else besides the blacklist?

Mr. BIRD.—I want the special reports of the special constables and watchmen; all telegrams with relation to proposed settlements between Mr. Marpole and his officials here, and Mr. McNicholl and Mr. Leonard, and the general officers of the company. I want the production of the appearance book from the local freight office, and way-bill book between February 26 and March 1. I think, Mr. Commissioners, up to the present time that is all I know that we require, but it may be necessary to ask your Lordship to get other documents.

HIS LORDSHIP.—Have you got your bundle?

Mr. BIRD.—I will have them; they are on the way down.

Mr. DAVIS.—In reference to the way-bill book, that cannot go out of the possession of the company very long, as it is being used. If my friend will state any particular time, we will have it up, so that it can be looked at, or it can be seen at the office at any reasonable times.

HIS LORDSHIP.—You would allow them to inspect it?

Mr. DAVIS.—Yes, my Lord.

Mr. BIRD.—I understand there are tissue copy books which could be produced.

HIS LORDSHIP.—If you find there is anything you want to bring before the Commission, we will see to that. What about that appearance book?

Mr. DAVIS.—That will be gotten.

HIS LORDSHIP.—You don't object to produce that?

Mr. DAVIS.—No.

(Mr. Bird hands in bundles of documents for which privilege is claimed—six bundles.)

HIS LORDSHIP.—There are six bundles there?

Mr. BIRD.—Yes, they are all marked separately.

HIS LORDSHIP.—There seems to be a large amount of work, even in connection with a strike!

Mr. BIRD.—I think there is a good deal of correspondence that is absolutely useless to anybody—mere acknowledgments of payments, but they may bear on the strike.

Mr. DAVIS.—Are there any letters from Estes produced?

Mr. BIRD.—I believe so.

Mr. DAVIS.—They are all that have passed.

Mr. BIRD.—As far as I know, yes.

Mr. DAVIS.—Because in this affidavit there are only one or two, and you must have had a great numebr.

Mr. BIRD.—I don't know as to that, I am sure. I am informed that the communications from Mr. Estes are not a great number. He was either here or in Victoria, and the communications were mostly verbal. He was kept so busy by the C.P.R. that he had no time to write more than a few letters.

HIS LORDSHIP.—Is it intended that Mr. Estes shall be here to give evidence?

Mr. BIRD.—I understand, my Lord, that Mr. Estes is attending a convention at Denver. If your Lordship desires him here, he shall be here.

His Lordship.—We certainly would like to have him here.

Mr. Bird.—The secretary of the organization, I undertake, will wire for him at once. He will be here by the close of the Commission.

His Lordship.—How long before the convention concludes?

Mr. Bird.—It is a convention of the American Labour Union, with which the U.B.R.E. is affiliated. I could not say exactly when it concludes.

His Lordship.—Is it being held at Denver?

Mr. Bird.—Yes, it is in session there, and I understand the convention will last probably ten days longer.

His Lordship.—You had better find out just when it is likely to end, because we would like to suit his convenience as much as possible; and when he can get here.

Mr. Bird.—Yes.

His Lordship.—Because it seems to me that it is of prime importance to the proper presentation of the case of the men, that the leader should be here.

Mr. Bird.—As a matter of fact, I think the evidence will disclose that he was no leader in connection with this strike.

His Lordship.—I understand he had a good deal to do with it.

Mr. Bird.—He had something to do with the working of it, and advising, as under the constitution he was bound to do. I understand he had no part in the direction of the strike, except in an advisory capacity. He had no authority to take any part whatever, and he did not sit on the executive and had nothing whatever to do with the strike; it was in the hands of the local union.

His Lordship.—There is a danger that the public may misinterpret some of the movements of the men, unless a leader like Estes, whose counsel and advice was taken from time to time, is not here to give evidence. It is only fair to the men, I think, that he should be here.

Mr. Bird.—I agree with your Lordship.

His Lordship.—You can find out when he is likely to be here?

Mr. Bird.—Yes, we will wire at once.

His Lordship.—I suppose we had better go on with the evidence.

Mr. Bird.—I did start with one witness, my Lord, but he is not here. I was really waiting until the conference was over. I will go on in the ordinary course, and will call David B. Johnstone.

David B. Johnstone, sworn.

By Mr. Bird:

Q. Have you formerly been in the employ of the C.P.R.—A. Yes sir.

Q. In what capacity?—A. I have been weigh-master for the C.P.R.

Q. What particular division of the service is that called?—A. With the weighing of cars.

Q. Is that among the freight handlers?—A. Exactly.

Q. Have the freight handlers had a union heretofore, prior to the inauguration of the U.B.R.E.?—A. Yes.

Q. And as such you made arrangements with the C.P.R.?—A. Yes.

Q. You had a wage schedule with the company?—A. Yes.

Mr. BIRD.—I will file the wage schedule if my learned friend will produce it (Exhibit 27.)

By His Lordship :

Q. You are out on strike at present ?—A. Yes, sir.

By Mr. Bird :

Q. When did you join the U.B.R.E. ?—A. I personally joined the U.B.R.E. to the best of my knowledge in August, 1902, but I would like to explain that the freight handlers as a body did not join the U.B.R.E. at that time.

By His Lordship :

Q. When did they join ?—A. Your Lordship, I cannot give you the date definitely, but I think it was during the month of November, the same year.

Q. You were the pioneer in joining ?—A. Yes, sir.

By Mr. Bird :

Q. Is that what you call your wage schedule ?—A. Yes, I identify that as the wage schedule— a copy of it at least—between the freight handlers and the C.P.R.

(Exhibit 27.)

By His Lordship :

Q. That is the wage schedule of the freight handlers ?—A. Yes.

Q. Is that the wage schedule in force ?—A. Yes.

Q. What time ?—A. If my memory serves me rightly it should expire on June 21, 1903.

By Mr. Bird :

Q. Article 8 says that this schedule shall come in force in three weeks from date, and May 21 is the date of the document, and three weeks from that date would be June 21.

Q. According to this document you appear to have received concessions as a union —I mean increased rates ?—A. Yes.

Q. An increase of pay all along the line—to everyone ?—A. Yes.

Q. Of course when I refer to all along the line, I mean to the members of the union ?—A. To the members connected with the Freight Handlers' Union.

Q. Did the freight handlers join the U.B.R.E. as a body later ?—A. Yes.

Q. When ?—A. To the best of my knowledge during the month of November, or the early part of December; I could not give the date positively.

HIS LORDSHIP.—Just let me understand this—this so-called freight handlers' schedule. Was that a request which was acceded to, or is it an agreement?

Mr. BIRD.—It is ordinarily spoken of as an agreement, but I understand it is nothing but a wage schedule.

HIS LORDSHIP.—I want to know whether it is a document or a memorandum.

Mr. BIRD.—Apparently there is no signature of the union there; I have not got the original.

Mr. DAVIS.—It is an agreement, your Lordship, binding on both parties.

HIS LORDSHIP.—As between the company and the United Brotherhood of Railway Freight Handlers?

Mr. DAVIS.—Yes.

By Mr. Bird :

Q. You had a conversation with Mr. Beasley early this year ?—A. On the first day of March, I believe I had.

By His Lordship :

Q. Who is Beasley ?—A. He is the Divisional Superintendent of the C.P.R.

By Mr. Bird :

Q. What was the substance of that conversation with Mr. Beasley?—A. Well, he approached me in the shed. It was the last day I worked for the C.P.R.—with reference to the outlook which appeared at the present time to exist between the freight handlers and the C.P.R. with regard to working in connection with what are commonly called scabs.

By His Lordship :

Q. What date was this ?—A. On the 1st March this year. And he inquired of me if we had had a meeting the night previous to decide on some way of getting over this deadlock, and I told him I did not know whether a meeting had been held or not —that I had not been present. Our conversation then drifted to the U.B.R.E.——

By Mr. Bird :

Q. Before going to that conversation, you referred to a deadlock; what did you mean by that?—A. Your Lordship, the freight handlers refused to work, as I have said, with what they called 'scabs.' The office men were out on strike, and their places were being taken by scabs, and in the local freight sheds a man who acted as foreman was not a member of our organization and was out on strike, and our men could not take his place without acting as scabs, or yet could not consent to working with a man taking his place as a scab.

Q. Why could you not do that, Mr. Johnstone? Why could you not work with a man you call a scab ?—A. It is contrary to all the rules of unionism.

By His Lordship :

Q. What is a scab ?—A. A scab, in my estimation, is a man who refuses to go on strike when a strike is declared, or who takes the place of a union man when he is on strike.

By Mr. Bird :

Q. When you say a man who refuses to go on strike after a strike is declared—a man who is not a member of the union would not be a scab ?—A. Possibly not.

Q. That is, a union man who refuses to obey union methods would be a scab ?—A. Yes.

By His Lordship :

Q. A union man who refuses to be bound by the action of the majority ?—A. Yes.

By Mr. Rowe :

Q. But a man taking his place, whether a union man or not, would be considered a scab, would he not ?—A. Yes, he would be considered a scab in any case.

By Mr. Bird :

Q. Then will you proceed with the conversation with Mr. Beasley?—A. And Mr. Beasley assured me that he did not want to have any trouble with the freight handlers' organization. He wanted us to go on as we were at the present time, but that the company was entirely opposed to the U.B.R.E., in fact it would not stand for it, because they considered the organization impracticable, and at the same time said that the company would not stand to have a man like Estes interfering with their business.

Q. Did he explain what he meant by impracticable ?—A. No, he did not.

Q. That was the substance of the conversation that took place?—A. Yes, there might have been other remarks passed, but those are the facts that have been impressed upon my memory.

Mr. ROWE.—I have not got it clear in my own mind as to the condition at this time. Had the strike been declared by the U. B. R. E. ?

By Mr. Bird :

Q. When did the Brotherhood go on strike ?—A. The Brotherhood, as represented by the clerks and office men, bagagemen and office men generally, and the men at the stores also, went on strike at noon on the 27th day of February.

By His Lordship :

Q. You say the clerks, office men and baggagemen went out on the 27th February. Did any of the U. B. R. E. men remain ? What about the freight-handlers ?—A. I wish to explain that : the freight-handlers, working with this schedule with the company, decided that, so long as conditions were such that we should live up to our schedule, and we were prepared to hold up our agreement so long as it was possible for us to do so, notwithstanding that the others went on strike.

Q. Do you mean giving 30 days' notice, by living up to the agreement ?—A. No, we did not give 30 days' notice. We were prepared to leave it open until the end of the term, if possible.

By Mr. Rowe :

Q. You felt, however, that you could not live up to that agreement at the expense of working with scabs ?—A. Certainly not.

By His Lordship :

Q. What do you mean by being unable to work with scabs ? How near must a scab be to you before you will take offence at his presence ?—A. Not very close.

Q. Yes, but what do you call working with a scab ?—A. I mean handling goods that have been handled by a scab, coming directly in contact with a scab.

Q. That is, goods that have been handled, immediately before you handle them, by scabs, you would consider scab freight ?—A. Yes, my Lord.

By Mr. Rowe :

Q. Would you have the same objection to delivering goods to those who were scabs ?—A. For myself personally I would; that would depend on conditions, I presume.

By His Lordship :

Q. Suppose the stuff had been handled by a union man immediately before you handled it, and handled by a scab before the union man handled it, would you consider that scab freight ?—A. Well, I would have a poor opinion of the union man.

Q. Yes, but he might have a different opinion of the nature of his agreement with the company ?—A. Well, I suppose if they were handled by a scab and purified by being handled by a union man, I would think I should handle them.

By Mr. Rowe :

Q. You would think they would be purified ?—A. Yes.

By His Lordship :

Q. And that the infection would not reach you ?—A. Possibly not.

By Mr. Bird :

Q. Then after the strike was declared by the U. B. R. E. the freight-handlers stayed at their work by reason of this schedule ?—A. Yes.

Mr. ROWE.—Would the witness tell us what different class of employees are under this union ?

Mr. BIRD.—I was coming to that in a moment.

Q. I was asking you when the U.B.R.E. declared a strike you stayed on by reason of your agreement with the C.P.R. ?—A. Yes.

Q. What was the occasion of the freight-handlers going on strike ?—A. Our committee was sent for by Mr. Beasley, the divisional superintendent, and it was reported at a meeting of the freight-handlers that this committee had been told that Mr. Beasley wished to draw up a new agreement with them, and surprise, of course, was expressed at wishing to draw up this agreement when the old agreement had some length of time to run, and not only this, but the fact of having this agreement renewed was coupled with the stipulation that we should withdraw from the U.B.R.E., and these were factors which caused the repudiation of this agreement. Then the discharge of one of our members for refusing to handle what had been handled already by scabs, as we considered it.

Q. Who was this man who was discharged ?—A. Edward Fowler. And the fact that men had been brought to the city and placed between the station and the wharf in cars, as we were informed by them, to take our places immediately we went out. We saw that the situation was up to us, when these men were there to take our places.

Q. You mean to say the C.P.R. had brought in men to fill your places in anticipation of your going on strike ?—A. These men arrived here on the morning of the 28th day of February.

By His Lordship :

Q. How many men ?—A. I could not give you the exact number.

Q. About how many ?—A. I should say 20 or 25.

Q. You thought they were brought to take the places of the freight handlers ?—A. So I was informed by some of the men, that they were truckers and checkmen.

By Mr. Bird :

Q. They did not, then, belong to the class of employees out on strike at that time, the clerks or the others you have mentioned ?—A. No; I don't think they belonged to any class at all.

Q. That is your personal opinion; but their alleged occupation was such as you have mentioned ?—A. That was to be their occupation as they understood it, from what they told us.

Q. Did they go to work when they arrived ?—A. No.

Q. When did they go to work ?—A. Not until after we went on strike.

Q. That was on the 2nd of March you told us ?—A. Yes.

By His Lordship :

Q. The freight handlers went out on the 2nd of March because of scab freight and the discharge of one of their men—those were the causes ?—A. The importation of the men and the demand that we withdraw from the U. B. R. E.; they would not have our contract renewed; and the discharge of one of our men.

Q. You went on strike for four reasons—the demand to withdraw from the U. B. R. E., the discharge of Fowler—what office did he hold ?—A. He was night car checker; he was not an officer in the union to my knowledge.

Q. The third ground was what ?—A. Working with scabs.

Q. By that you mean that this freight was handled in the baggage room by non-union men ?—A. You mean the freight that Fowler was asked to handle ?

Q. Yes.—A. No, it was his duty to send out freight trains, to make out bills for conductors, and these bills were made by men who had taken the places of strikers in the office. He was discharged because he refused to co-operate with these men. It was his duty to take the bills when the other men were through with them.

DAVID B. JOHNSTONE—Vancouver, June 4.

By Mr. Bird :

Q. So there is not only scab freight, but scab bills ?—A. Yes.

Q. And scab bills would infect the labour men ?—A. Yes.

Q. Have you got the constitution of the U. B. R. E. ?—A. I have.

(Copy of constitution identified by witness, and filed as Exhibit 28).

By His Lordship :

Q. Is this the last edition ?—A. That is the only edition in existence, my Lord, so far as I know.

Mr. Bird.—I might give you a better copy (handed in).

Q. What are the objects of your organization ?—A. They are plainly set forth on the first page of the constitution.

By His Lordship :

Q. Where are the headquarters ?—A. In San Francisco.

By Mr. Bird :

Q. The objects you say are set forth in the preamble ?—A. Yes.

Q. I see by this that you are a fraternal organization ?—A. Truly.

Q. Having, as one of your principal reasons of existence, the helping of members in sickness and distress ?—A. Well, fraternally in this regard, that we have means of recognizing our brotherhood, and therefore it is a means of assisting the brotherhood if they should be travelling.

Q. Have you no other benefits ?—A. Our organization is beneficial in this way, that it establishes a sick and death benefit fund for the members.

Q. You have an insurance department ?—A. We have.

Q. And that covers accidents, and—?—A. Death from natural causes.

Q. And a sick benefit similar to other fraternal societies ?—A. Yes.

Q. Have you ever declared a policy in connection with the operation of the organization ?—A. The policy of our organization is to be found on page 5 of the constitution.

Q. I see by this that you are forbidden to have any connection with any political party ?—A. Truly.

Q. Have you any connection with any political party ?—A. Not as a brotherhood.

Q. Have your members as a body pledged connection to any political party ?—A. No, sir.

Q. It is alleged by my learned friend that you are socialists—revolutionary socialists ?

Mr. Davis.—When did I say that ?

Mr. Bird.—In your statement of case.

A. I positively deny that statement.

Q. So as an organization you have no connection with any revolutionary socialist party ?—A. Not as a society. If any of our men see fit to become socialists or anarchists, or anything else, they have a perfect right to do so.

Q. As a matter of fact, have you many members who have attached themselves to the political party known as the socialist party ?—A. We have three, to my knowledge, who have ever been, as far as I know, attached to any socialist party.

Q. That is the numerical strength of the socialist party among the U. B. R. E. ?—A. Who are or have been connected with the U. B. R. E. in this city, as far as I know.

Q. How many men are there in the city belonging to the Brotherhood ?—A. I believe when we went on strike we had 215. Since then we have had some black sheep in the fold, so that we are possibly a little short of that now.

By Mr. Rowe :

Q. Can you tell us what the total membership of the U. B. R. E. is—the international organization ?—A. I could not give you that information with any degree of accuracy. Approximately, I should say, we have in the neighbourhood of 30,000.

By Mr. Bird :

Q. That leads up, then, to a clause here called a strike clause. Sec. 19, page 24 of the constitution; sections 19, 20, 21 and some following clauses. Are these the only provisions made whereby a strike can be declared ?—A. Those are the only provisions provided in our constitution for a strike.

Q. Now, who are eligible for membership in this order ?—A. All white persons over the age of eighteen who are actually employed in railway service, or men who are not at present employed on railway service, who have served three years on a railway. The latter are not allowed to vote on matters pertaining to business with railway companies.

Q. Is that crystallized in any section of the constitution ?—A. Yes, section 7, page 48.

Q. That section declares the people who are eligible for membership ?—A. Yes.

Q. It is substantially as declared by you ?—A. Yes.

By His Lordship :

Q. I don't see the form of oath given here ?—A. The form of oath is not included in the constitution; it is in the ritual.

Q. We would like to have the form of oath.

Mr. BIRD.—I will put this in as having come into my possession. The men feel bound under an obligation.

HIS LORDSHIP.—We don't care anything about the creed; we only want the oath; we want a copy of that.

Mr. BIRD.—I shall file that.

(Exhibit 29, ritual of U. B. R. E.).

Q. Now, in this organization here, are there many alien members ?—A. No, I believe that they are practically all British subjects; so far as I know.

HIS LORDSHIP.—What was that question ?

Mr. BIRD.—He says they are all British subjects in this local division, so far as he knows.

Q. How is your business conducted here ?—A. I don't just understand.

Q. Well, is it conducted by a board or manager—what are your officers ?—A. The business of the organization is conducted by the executive, I think that is——

Q. Consisting of whom, and how many in number ?—A. The executive, according to our constitution, consists of one member from each department of railway service represented, or subdivisions thereunder, provided there are fifty members of that subdivision.

By His Lordship :

Q. Divided into classes ?—A. Twelve classes in all.

Q. Yes, I see, at page 13.

Mr. BIRD.—That will answer Commissioner Rowe's request of some time ago—at page 13.

Q. According to that your organization takes in twelve distinct classes of railway employees ?—A. Yes.

Q. And I believe these twelve practically constitute the total organization ?—A. Yes, the total men employed upon the railway.

Q. Are there any exceptions at all to that?—A. It does not include officials of railways.

By Mr. Rowe.

Q. Are all these different departments represented in your union?—A. Not in this city.

Q. In other places?—A. In other places; on the Southern Pacific, I believe, all these departments are represented, and possibly on other roads in the United States.

By His Lordship:

Q. But here that did not include the engineers?—A. Our membership here is taken almost exclusively from the men who had no other organization unless possibly a local organization, prior to the introduction of this brotherhood—nearly confined to these departments.

By Mr. Rowe:

Q. What are the classes here?—A. The freight-handlers, the clerks and office men, baggagemen, and the men from the stores, and the labourers.

By His Lordship:

Q. That would not include switchmen?—A. No, sir. The switchmen, as I understand it, are included in the Brotherhood of Railway Trainmen.

By Mr. Bird:

Q. Are there any other international organizations represented in Vancouver?—A. The majority of the labour organizations in Vancouver are international in their nature.

Q. Can you tell me the names of international organizations in connection with the railway—that would include railway men?—A. The Brotherhood of Railway Trainmen, the Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen, Order of Railway Conductors, Order of Railway Telegraphers, the International Order of Machinists, and the Brotherhood of Boilermakers, I believe, also is an international organization. These are all, at the present time, that I can remember who are connected with the railway.

Q. What about the Maintenance of Way men?—A. Yes, truly; they are international.

Q. So that, in addition to your organization, there would appear to be eight organizations having affiliation with brotherhoods beyond the line?—A. Exactly.

By Mr. Rowe:

Q. Did I understand you to say that your order was affiliated with the American Labour Union?—A. Yes.

By His Lordship:

Q. Can you explain exactly what is meant by affiliation?—A. Well, I cannot explain; I don't know, my Lord, that I have ever looked into that closely, but as I understand the term it means that we are connected with the American Labour Union, and would have in our power to render financial aid or otherwise to any other body affiliated with the American Labour Union.

Q. That is, the American Labour Union is a sort of parliament of unions?—A. Yes, on the same ground as the American Federation of Labour.

By Mr. Rowe:

Q. Does that institution have a constitution?—A. I think I have seen one.

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Q. Do you pay anything to its support ?—A. So far as we are concerned, as a division of the U. B. R. E., we pay nothing. Whether the central office of the organization, or the general division, as it is called, pays anything into the treasury of the American Labour Union, I could not say, but we as a division do not.

Q. What do the locals pay into the general division ?—A. Our dues are 50 cents a month; 25 cents of this goes to the general division and 25 remains in the local treasury. Of course, the benefit department of our organzation we handle exclusively ourselves.

By Mr. Bird :

Q. That has no connection with the general division?—A. No.

Q. So far as benefits derived by the general division from the local, how does it compare in money benefits sent away from here and received up to date ?—A. I believe that the United Brotherhood of Railway Employees has expended $100 in the Dominion of Canada for every dollar they have received from the Dominion, since my membership in the brotherhood.

Q. So you have got $100 for $1.00 in this city thus far ?—A. I believe so.

By Mr. Rowe :

Q. Do they contribute it in support of the strike ?—A. Yes.

Q What amount ?—A. I could not give you the amount, I am not a member of the executive.

By His Lordship :

Q. We don't need the exact figures ?—A. I was told by a member of the executive about $4,000.

By Mr. Rowe :

Q. How many men have been on strike ?—A. In our organization—215 went on strike.

By Mr. Bird :

Q. That $4,000 has been received by this local division ?—A. Yes.

By His Lordship :

Q. From San Francisco?—A. I presume from divisions of the U.B.R.E. in the United States.

By Mr. Rowe :

Q. How long has the strike been in existence ?—A. Three months the 27th of last month.

Q Could you give, roughly, the average wage of the strikers ?—A. They would receive if working—the average wage, my Lord, would not exceed $50 per month, in my estimation.

By His Lordship :

Q. That is something like $15,000 lost by the strike to the men so far ?—A. Yes, sir.

By Mr. Bird :

Q. Now these figures given by you—have you any certain knowledge of these matters—of the finances?—A. No, I have not the slightest positive knowledge. I am speaking approximately, and speaking of information which I have received.

Q. I propose to call further evidence which will give it correctly. I think the figures will show $8,000 or $10,000 received ?

His Lordship.—We had better get these, so that the men will see what the organization is doing for them.

By Mr. Bird :

Q. When you say they average $50, does that mean all the men are in constant employment on the C.P.R. Take your own organization—how many gangs have you at your disposal. You work in gangs ?—A. Yes, a certain portion. We include delivery clerks in our organization, myself for instance. I didn't work in a gang, but I should say we have about six gangs.

Q. Now, how many of these are constantly employed ?—A. It is impossible to tell, because the work is at times irregular, and depends on the traffic and business doing.

Q. Can you average it up in any way. I have not the slightest doubt my learned friend will take the figures you may give. How many gangs would you say averaged employment ?—A. I could not give you the average of that; it is very difficult. Gangs are working sometimes eight hours a day, sometimes 9, sometimes 10, and sometimes 15. It is almost impossible to strike an average. Our men are there if they are wanted, and when not wanted they are sent home.

Q. Is there fairly continuous employment for these six gangs ?—A. Well, I could not answer that question with any accuracy.

By Mr. Rowe :

Q. I was going to suggest that it might be possible to find what the earnings of these men were from the corresponding period of last year.

Mr. Bird.—I may be able to get that information from officers of the C.P.R. My learned friend may voluntarily furnish it.

Mr. Davis.—We will furnish that, if necessary.

Mr. Bird.—I thought I could get it from this witness. My instructions are that there are a great many gangs, and that they don't get anything like continuous employment. I should think a comparative statement of last year would show.

His Lordship.—I should think the best way would be to see how much they were entitled to under this agreement.

Mr. Rowe.—That is only in relation to permanent employees ?

Mr. Bird.—Yes.

His Lordship.—The company could give us a very close estimate ?

Mr. Davis.—Either that or the corresponding figures for the three months of last year, whichever you prefer.

Mr. Rowe.—In that statement, Mr. Davis, I suppose it could be determined by the amount paid out since the strike for the work. I suppose you would find out the amount lost in wages by learning the amount the company has paid for the work paid to the substitutes ?

Mr. Davis.—We could give you the amount paid out last year in the same three months, and we could give you this year.

Mr. Rowe.—I was going to suggest, in connection with the latter statement, say the number of men employed ?

Mr. Bird.—That covers the pay-rolls for the present year during the period of the strike.

Mr. Rowe.—Yes, I just asked for the number as well as the amount.

Mr. Bird.—I suppose the pay-rolls may be produced in corroboration of the statement prepared.

Q. Now, as to declaring strikes, you have 12 different classes of employees in your local union, all connected with the general division. Supposing one class of employees had a grievance, how would you proceed to get it remedied ?—A. According to our

constitution we have what is called a board of adjustment, which has three members elected from each branch of the railway service represented in our order. These men are elected by men who belong exclusively to that branch of railway service; that is, no one outside of that branch of service would be entitled to vote for these men. In discussing matters arising between that branch of the service, this board of adjustment would have the matter brought before them, and they would be asked to call upon the official in command of their department, and make an effort to adjust this grievance. Failing to effect an adjustment, after they have exhausted all their efforts, the matter is referred to the executive of the whole division—all of the branches of the division.

By Mr. Rowe :

Q. What does the division mean ?—A. The division means the organization, the members, the lodge room, the officers having any connection with the lodge of the U. B. R. E.

By His Lordship

Q. Then there is one division in the city of Vancouver ?—A. Exactly.

Q. And one at Kamloops?—A. Yes. The specific divisions are as you find them classified in the constitution.

By Mr. Rowe :

Q. Yes, but what do you call them ?—A. Departments.

By His Lordship :

Q. You say there are three men elected to the executive ?—A. No, not the executive, the board of adjustment, and after they have exhausted all their efforts to produce a settlement with the official who is in command of their department, it is placed before the executive. They have it in their power to refer this back to the board of adjustment, or if they deem it advisable, they may place it before the entire division at a full meeting, and it is passed upon by a full metting of the division as to whether this grievance is just or not. And after that, it would in the course of time be passed up to the president or vice-president in command of that district.

Q. What constitutes a district ?—A. Well, a vice-president is appointed; there is no practical rule for a district.

Q. How many districts are there in British Columbia ?—A. It forms one district, and Manitoba. We have just one district in Canada. The matter would be handed up to the president of the district, and possibly by him referred to the other divisions in the district, and before any action could in any way be taken by him, the vote of the membership of the entire system would have to be taken—the entire system of the railway, provided it is affecting one division of the railway system. According to the constitution the vote would require to be taken for the entire system, and if two-thirds of the membership on the entire system voted in favour of a strike, and due notice was served on the president—after this had been the case, he would be compelled to order a strike.

By Mr. Rowe :

Q. That is the president of the—?—A. Of the organization.

By His Lordship :

Q. At San Francisco ?—A. At San Francisco, yes. He has no power to order a strike unless the power becomes mandatory on him by a two-thirds vote on the railway system.

By Mr. Rowe :

Q. When the freight-handlers joined the U. B. R. E. had they lost their connection with the Brotherhood of Freight-handlers ?—A. Our United Brotherhood of Freight-

handlers was a purely local organization. We had no other connection, except that we had a charter from the Dominion Trades Congress as a local union.

Q. Was there more than one union on the C. P. R. ?—A. Just one, as far as I know.

Q. Under the constitution of the U. B. R. E. is it possible for any separate craft to have connection with an international organization other than the U. B. R. E. ?—A. You mean, could they be members of the U. B. R. E. and also members of some other organization ?

Q. Yes ?—A. I don't know anything to prevent it.

By His Lordship:

Q. Referring to the question again, has the president the right to say over what area a strike should extend ?—A. No, sir, only the railway system.

Q. That would be a district—could more than one district vote on it ?—A. I presume it would, as a matter affecting them.

Q. Supposing one district passes a two-thirds majority vote as required, and sends in a request to San Francisco, has the president to declare the strike generally, or can he confine the strike to any district ?—A. According to the constitution it says, 'entire railway system.'

Q. He is only the mouthpiece ?—A. Yes, of the organization.

Q. He has no power to direct over what territory the strike shall extend ?—A. No.

Q. If a strike is commanded over the whole system, it must go in force over the whole system whether he likes it or not ?—A. Yes, but there is a clause in our constitution at the present time which states that the president shall not declare a strike until the membership reaches 100,000 strong.

Mr. BIRD.—That is at page 25, section 21.

By His Lordship :

Q. How are you people out on strike ?—A. The president did not order our strike. There is nothing in the constitution for our going on strike. We went on strike because we saw the necessity of it. We felt that we were up against a hard proposition, and that we would rather die fighting than die without fighting.

Q. How is it you are getting money from headquarters if you went out against the will of the president ?—A. We didn't go against the will of the president ; he sanctioned our action when he arrived here.

Q. Who—Estes ?—A. Yes. He stated that he thought we had done right—that there was nothing else for us; he agreed with us.

Q. Then, to that extent the constitution was overlooked ?—A. Well, it was not overlooked, my Lord, but I presume it was the intention of the framers of that constitution that no contention should arise on the railway systems until the membership was perhaps 100,000 strong.

By Mr. Bird :

Q. Did you have votes in your locals in regard to the matter—on the question of going on strike in the division ?—A. We did.

Q. With what result ?—A. To the best of my knowledge there was one person dissenting, and I believe that he afterwards withdrew his dissent.

Q. So that it was unanimous ?—A. Practically so.

Q. Was the matter of going on strike referred to the other divisions in the Canadian general division—the other divisions in Canada ?—A. Not previous to going on strike, so far as I know.

Q. The divisions here took—?—A. The initiative and took the burden of going out on themselves.

Q. Had they any compulsion or power of control over the other divisions ?—A. None whatever.

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Q. So that each division in going on strike acted independently ?—A. Truly.

Q. So that at Nelson, Revelstoke, Calgary, Winnipeg, votes must have been taken and a two-thirds majority obtained ?—A. I presume they were.

By His Lordship :

Q. Did the divisions here have any correspondence with the president before they went on strike ?—A. Not so far as I know, relative to going on strike.

Q. And you ignored him and the constitution both ?—A. He had been wired to, but he did not arrive until some time afterwards.

Q. Then the men acted independently of the president and the constitution both? —A. Truly. As I said, there is nothing in the constitution to govern the fact of our going on strike at the present time.

Q. You are not an officer of the union?—A. I am not.

Q. Was it necessary to obtain the sanction of the president before any funds from the foreign jurisdiction could be available, or did you take that risk—that you would stand alone ?—A. We took the risk on ourselves.

Q. You had no guarantee or assurance ?—A. We had no guarantee of anything, my Lord.

Q. In fact, the president had not been communicated with before the strike took place ?—A. He had been wired for. I presume he was wired for the night before the strike, and he arrived here about six hours after the strike took place.

Q. Did you have a three-quarter vote in favour of the strike over the whole system?—A. This division, as I said, took upon itself the initiative and went on strike without consulting any other divisions. The other divisions, as I presume, felt likewise.

His Lordship.—Have you any objection to the other side seeing the ritual ?

Mr. Bird.—I put it in for your Lordship personally.

His Lordship.—I think the oath should be made public, but not the ritual.

Mr. Bird.—I leave it in the hands of the Commissioners. Perhaps if I read the oath it may cover the matter.

His Lordship.—We will look through it, and if there is anything we think should be brought to the attention of the government or the public we will do so.

(Witness reads the oath from Exhibit 29, ritual of U. B. R. E. as follows.)

> 'I do most solemnly and sincerely swear (or affirm) freely and voluntarily, upon the holy bible, and my sacred honour, that I will never reveal any of the secrets of the United Brotherhood of Railway Employees, which have been heretofore, shall be at this time, or may at any future time, be imparted to me as such, to any person whomsoever, unless under lawful authority of the Brotherhood; that I will never write, indite or print, or allow to be written, indited or printed, if in my power to prevent it, any of the unwritten work of the Brotherhood; that I will uphold and support its constitution and by-laws, and will obey and abide by all regulations and mandates issued through its various official channels, and will respect and comply with all decisions of its tribunals, when in accordance with its constitution and laws; that I will not knowingly wrong, cheat, nor defraud any member of this Brotherhood, or speak ill or slightingly of any member thereof; that I will assist all destitute worthy members of the Brotherhood who may apply to me for relief, as far as lies within my power; that, other things being equal, I will give employment to a member of this Brotherhood in preference to a stranger; that I will give members due and timely notice of any danger that I may know of, threatening them or their families; that I will recognize all signs, passwords, grips or signals which may be given me by members of the Brotherhood; that I will endeavour at all times to uphold and maintain the

dignity of the Brotherhood; that I will not recommend any candidate for membership therein, whom I have reason to believe would prove unworthy. All this I most sincerely and faithfully swear (or affirm), and will steadfastly keep and perform without the least equivocation or mental reservation whatsoever, and will consider this obligation binding, whether I remain a member of the Brotherhood or not.'

His Lordship.—The Commissioners will examine the balance of the book, and if there is anything of public interest to be brought out, we will do it, not otherwise.

Q. You say this strike was ordered by the division on its own initiative?—A. Yes.

Q. So that section 20 of the constitution was apparently disregarded. It says:

'Strikes cannot be declared unless two-thirds of the members in good standing on that railway system vote by proxy or otherwise in favour of a strike, such vote to be certified to the president over the signatures of the managers and agents, and with the seals of the divisions affixed, which certificates may be transmitted by telegraph or in such other manner as the president directs.'

—A. Yes, but the section of the constitution stating that no strike shall be declared by the president until the order has reached 100,000 strong, I think, has some bearing on that also.

Q. It seems to me that both sections 20 and 21 were disregarded in this case. You see the difficulty, in which the public is interested in considering. is this, that if the unions don't abide by their own constitutions, the public may feel in doubt as to when they will act under their constitution—don't you see the idea?—A. Yes, I understand, my Lord.

Q. If the unions are trying to get public opinion on their side, and I have no doubt that is what they are trying to do, it would be wise to abide by the constitution, especially when their constitutions are put in a reasonable way?—A. I agree with you there, but there was no other course open for us but to strike; there was no course laid down in the constitution which would govern the situation, as I see it, and as I saw it at that time.

Q. Would it not have been the best way if you had got your constitution amended before you went into this strike at all?—A. My Lord, it was a hurrying time with us. In my opinion there would have been no U. B. R. E. on the C. P. R. inside of ten days.

Q. You mean you would have all been discharged on one ground or other?—A. We would have been discharged, or our members intimidated to such an extent that we would have had to withdraw from work, as some had already done. So had we waited there would have been no U. B. R. E. to cause trouble to the C. P. R. had we waited until the time we were ready.

By Mr. Davis:

Q. You say by the terms of the oath, Mr. Johnstone, that you are not to reveal any of the secrets of the union—does that apply to revealing what takes within the lodge?—A. I presume that it does if the nature of the transaction is such that it requires to be kept secret.

Q. That is if the nature of the transaction is such that it would be to the disadvantage of the union to have it published?—A. Yes.

Q. What would happen supposing I asked you about occurrences which took place in the lodge in reference to this matter. Are you going to reveal them or not?—A. Well, I should use my own discretion in that respect, and if I saw fit to reveal them I would not reveal them without I had authority to do so from the constituted authorities under the constitution.

Q. I see. They also require you to adhere strictly to the provisions of the by-laws?—A. Yes.

Q. Apparently about the first thing your lodge did was to disregard the provisions of the constitution by declaring that strike. Is it not so?—A. I don't agree with you altogether on that point. There is nothing in the constitution to govern the ordering of strikes at the present time.

Q. You say there is, Mr. Johnstone. How do you get over section 20, which states that no strike can be declared except on a two-thirds vote?—A. Except by the advice of the president.

Q. In this section 20 it must be two-thirds of the people on the railway system. Whereas, on your construction of the matter a strike could be brought on by a vote of one small division?—A. My reason for saying it otherwise is the fact that it is not always possible to live up to the constitution when you are opposed to a power as great as the C. P. R. As the noted leader, Eugene V. Debs, said, he would trample on any constitution in order to observe the rights of the people. That is sufficient excuse.

Q. You don't pretend to say any longer that it was in accordance with the constitution?—A. No, not according to the constitution as it stands there.

Q. So who has to decide whether the circumstances are such as to warrant a violation of your oath and the breaking of your constitution?—A. Who has to decide. The membership have the right to decide.

Q. The majority in an individual lodge could settle that?—A. Not in every case.

Q. Well, you considered that was correct, did you not? That was what you did here?—A. In this case, up to the time we went on strike there was very little discrimination against other divisions of the brotherhood outside of Vancouver. I am not aware that there was any at Nelson, Revelstoke or even Winnipeg.

Q. Then your idea is that the lodge have it within its power to violate the oath of the members and violate the provisions of the constitution?—A. No, I don't consider in all cases that they have a right to do that. I consider that desperate means are required in desperate cases.

Q. That is putting the judge of the desperate case, the individual lodge?—A. No, I don't agree with that; what I call a desperate case is where the life of the union is in the balance.

Q. Who is to judge of that?—A. There is no one except the members of the organization.

Q. All the members of the particular lodge, because it was not the members of the organization. You only consulted one lodge?—A. No, I don't agree with you in all cases; circumstances alter cases entirely.

Q. And any particular lodge, if in its opinion the situation is so serious, can trample on its oath?—A. Do you find anything in the constitution to warrant that?

Q. I am asking you if, in your opinion, that is correct. Estes evidently thought that was the idea, did he not, when he sanctioned this strike?—A. Well, I cannot give you a decided answer on that point.

Q. That was clearly Estes' idea of what the constitution is for—evidently to be broken?—A. No, I don't think it is.

Q. Well, he sanctioned a very flagrant breaking of it?—A. There is nothing in the constitution to cover that particular circumstance.

Q. Yes, there is. Section 20 provides that no strike can be declared except by a two-thirds vote of all the members of the railway system?—A. Yes, but if we had an agreement with the C. P. R.—if we had been a recognized organization at that time, and had an agreement, that might be possible; under conditions as they were at that time, it was impossible.

Q. This constitution does not make any provision for that clause applying until there was an agreement?—A. No.

DAVID B. JOHNSTONE—Vancouver, June 4.

Q. So that it is clear that under this constitution, as it stands, the strike could be only legal after there has been a vote of two-thirds of the members of the railway system affected ?—A. Yes, according to the constitution.

Q. Consequently, according to the constitution, a strike could only be legal after the brotherhood had a membership of 100,000 ?—A. In section 18 there is a considerable procedure to be gone through before there could be a strike by reason of a grievance; that is, the grievance must first be submitted to various people ?—A. Yes, that is true.

Q. And that was not done in this case ?—A. I believe that the grievance was presented to the chief officials of the C. P. R. in this city.

Q. Was the grievance submitted to the parties provided for by this constitution and passed on by them before a strike was declared ?—A. This grievance was not a grievance in a single department. It was practically in every department, and therefore came to a head much more quickly than had it existed only in one department.

Q. So this grievance must be submitted to and passed upon by the parties who are made imperative in that respect by the constitution ?—A. I cannot answer that positively.

Q. Look at section 18 and you can answer it. There is certainly a procedure which must be gone through. It goes from one to another, and so on until it gets up to the highest executive ?—A. Yes.

Q. And before a strike can finally be declared the president must be on the ground and use his personal influence to adjust the matter. Now, scarcely any of these things were done ?—A. A great many were overlooked.

Q. So far as the paper constitution goes, this strike is about as flagrant a violation of its provisions in carrying out a strike as one could have ?—A. No, I don't think so.

Q. In spite of that the president, Mr. Estes, came here in response to a telegram. What was that telegram ?—A. I could not say that; I did not send it. As I understand the telegram, it was a call requesting him to come and assist us.

Q. As president ?—A. I presume. According to the constitution we have a right to call on him.

Q. And having violated the constitution in every possible way under the circumstances, the next step was to ask Mr. Estes to come and assist you in accordance with the constitution, and he came. And he approved of what you had done ?—A. He would not have been here if he disapproved.

Q. Did he or did he not approve ?—A. He certainly approved.

Q. And he subsequently called out the other divisions in British Columbia, the Territories and Manitoba, did he not ?—A. I don't agree with you.

Q. Is it not the fact ?—A. I don't know that it is.

Q. Did they come out without an order from him ?—A. I am telling you I cannot give that information positively, because I don't know who calleld the other divisions out.

Mr. BIRD.—We will produce the secretary to give this information.

Q. Who did you understand called them out ?—A. I don't know; I could not answer that question.

Q. This was an illegal strike, as shown. Did the president take any action in the way of dismissing the people who had been responsible for this strike, for calling it—expelling them from the association ? Did the president expel any one ?—A. He has not the power to expel anybody.

Q. Look at section 24 :

> 'Any member who does not comply with the president's strike order when legally given, or who resumes service in any department on the railway system when a strike is declared before officially called off by the president, or who incites an illegal strike, or commits any acts of violence during a strike,

shall be expelled forever from this brotherhood, and the expulsion shall appear in the "Railway Employees' Journal".'

—A. Yes, but who expels him? It does not say that the president shall expel him.

Q. You think it does not mean that?—A. No.

Q. And the president, you say, sanctions the matter. Who is the person who makes the call for money in a case of this sort, what official does that, whose order is it?—A. A call for money for the other organizations?

Q. I am speaking of the U. B. R. E. For instance, you people want money, and you ask for money, but who decides whether the money is to be sent?—A. I presume the request comes from our executive.

Q. Who decides whether or not that request shall be granted?—A. The members of the division who are sending it.

Q. But don't you send to the head office for funds?—A. I cannot say as to whether funds come from the head office or not.

Q. That is where they would come from, would they not?—A. Not necessarily; they could come from individual members.

Q. Yes, they would be voluntary contributions, but the money of the brotherhood would necessarily come from the head office, would it not?—A. I don't know; I cannot answer that question.

Q. Well, you have the constitution?—A. Yes, but I believe it provides for the fact that the president may declare what funds shall be used for that purpose.

Q. That is in the hands of the president?—A. Yes.

Q. And did the president send any money in this case?—A. I could not say.

Q. Do you know, as a matter of fact, whether any money has come from the headquarters of the U. B. R. E.?—A. I don't know.

Q. Do you know if any money has come from anywhere from the U. B. R. E. in the United States?—A. What do you mean by the U. B. R. E.?

Q. I mean any lodge or division?—A. Yes, that is what I am speaking of.

Q. Has any money come from them?—A. Yes.

Q. What placee?—A. I know that plenty of money has come from the division in San Francisco and other places; I have heard the letters read at the meetings.

Q. Is that the head—San Francisco?—A. No, a division, just as we are here.

Q. How much have you received of this strike money?—A. Five dollars; I would like to say I have not required any more.

Q. What have any other of the individual members received?—A. I could not answer for anybody except myself.

Q. Have they received the amount provided for by the constitution?—A. I could not answer that.

Q. What has been done with the money that has come from the outside to the treasury of the U. B. R. E.? What has it been spent on?—A. I could not answer the question; I am a member of the lodge, but not of the executive.

Q. Well, are not these things reported to the lodge?—A. Well, for me to enter into details would be impossible.

Q. It has been spent chiefly in the way of giving it to the members?—A. I presume in the way of assisting the individual members.

Q. When you say you presume—do you know positively?—A. No, I don't.

By His Lordship:

Q. Have you had any inquiries in your lodge as to how it was spent?—A. I have heard statements read by the agent—monthly statements.

Q. Accounting for how much has come in, and how much disbursed?—A. Exactly.

Q. Have you had any audits?—A. We have an auditing committee and I presume they have gone over the work. You must remember I am not as well posted on this strike as I might be, for the fact that I have been away for some weeks working.

DAVID B. JOHNSTONE—Vancouver, June 4.

Q. Where have you been working ?—A. I have been working in a shingle mill, in Vancouver.

Q. Is there a union there ?—A. There was after I left, my Lord; I saw that they were union men before I left.

Mr. BIRD.—I think possibly, I might raise an objection in connection with the funds of the U. B. R. E. I understand the object of the Commission is to inquire into the causes of strikes, and I think, to go into the distribution of the funds is only satisfying the private curiosity of the C. P. R. It does not assist your Lordship in determining the cause of the strike.

HIS LORDSHIP.—We are not simply confined to the cause of the strike; we are investigating the workings of the union generally, because it is expected that the Commission will make recommendations as to what legislation should be passed in this connection. In order to deal intelligently with the subject, we should know what the workings of the union are.

Mr. BIRD.—There is no desire to keep back anything..

HIS LORDSHIP.—It is in the interests of the union to see that the public get a right impression that they are really a beneficial thing. The only way to judge of that is to have all the workings disclosed.

Mr. BIRD.—It might be a desire on the part of the C. P. R. to measure the strength of this organization.

Mr. DAVIS.—You remember speaking this morning with reference to a blacklist, and I stated at the time that the company had none. That is correct, but if my learned friend means certain reports issued at the end of every month by the general superintendent showing the names of men within his jurisdiction who have been discharged, and stating the cause, I may say there are such. The object is apparent; the same institution do not wish a discharged man on again.

Mr. BIRD.—What I particularly desire, if it is not in the nature of a blacklist, is an agreement between all the railway corporations of North America, agreeing that they will employ no man who has been in the employ of a railway company, unless he produces a document in the shape of a clearance from the corporation he has previously worked for. I believe there is such an agreement in existence which has been sanctioned, if not signed, by all the railways in North America, so that a man, if he leaves here without such a clearance will apply in vain to any railway for employment.

Mr. DAVIS.—If there is any agreement such as that, we have no objection to producing it.

HIS LORDSHIP.—If there is such an agreement it should be brought to the attention of the court.

Mr. BIRD.—I have a witness here who will prove the statement made by an officer of the C. P. R. as to the existence of such an agreement.

By Mr. Davis :

Q. I see, Mr. Johnstone, under section 23 of the constitution, that each member who is out on strike, after the expiration of ten days, shall be paid the sum of $40, so long as that is not more than the salary he has been receiving. Has that been complied with ?—A. It has not in all cases.

Q. In any case, as far as you know ?—A. I am not aware of the fact.

Q. You don't know ?—A. Perhaps they have received more than that.

Q. Do you know of any case ?—A. No.

By His Lordship :

Q. What section is that ?—A. Section 23, page 25.

By Mr. Davis :

Q. What was the extremely urgent necessity for the strike which you spoke of, which led the brotherhood to override all the rules and regulations ?—A. Do you wish me to go into that in detail, my Lord ?

By His Lordship :

Q. Yes; you see, it seems at present as if this strike was outside the constitution altogether ?—A. You wish to know the urgent cause. The fact that some of our members had been removed to Montreal. Some had been sent there apparently permanently, some temporarily.

By Mr. Davis :

Q. Give the names ?—A. Mr. Wilson and Mr. Dick had been sent apparently permanently, and Mr. Halton and Mr. Foulds temporarily. Reports were continually coming in of members being called before officers.

Q. The names, please ?—A. I am not able to give all the names in this connection.

Q. Whatever you can ?—A. I will state these cases as clearly as I can, and then if the counsel requires the names of certain individuals let him ask me.

Q. Where you know them, please mention them ?—A. The fact that members of our organization had been called up by superior officers, and the fact intimated to them that the U. B. R. E. would stand in the way of their promotion.

Q. Do you know the names of any of these?—A. No, I cannot remember the names just now.

By His Lordship :

Q. I suppose the names could be got ?—A. From our officers, certainly, my Lord. And they had been told that they would require to get out of the U. B. R. E. or else get out of the company's service; the fact that we as a body of freight-handlers had been told that our agreement would not be renewed——

By Mr. Davis :

Q. Told by whom ?—A. By Mr. Beasley, so our committee reported. Would not have our agreement renewed unless we withdrew from the U. B. R. E., and the fact that it was apparent to anybody and everybody who was conversant with the facts of the case, that the company was preparing for a strike.

Q. For what reasons ?—A. From the fact that we had reports of men being engaged to come here; from the fact that we had been told by men who had been secured as special constables; that they would likely be called as special constables. The name of one of them was Squires. He was afterwards, I believe, employed.

Q. Who made these reports to you ?—A. Is it necessary to mention these names ?

His Lordship.—Yes.

A. I am relating what took place in our division meetings, and I don't consider it altogether in compliance with my oath that I should reveal these names.

Q. You see, Mr. Johnstone, the public are putting a large amount of money into this Commission, and its intention is to get at the facts. In order to do this, we must get at the reasons that actuated the men in going out on strike?—A. I know that, and I am anxious to give all the information I can, but I don't like to divulge what took place in secret meetings of our organization. Besides the C.P.R. might be prejudiced against these men on account of these very things.

Mr. Davis.—We will undertake that that will make no difference. The fact would be very apparent that if the names of any men were given to the C.P.R. and anything was done to prejudice those men, that as officers of a corporation they would not dare to do such a thing, and would not.

His Lordship.—Would you undertake to the Commission that no men would be prejudiced ?

Mr. Davis.—Yes, I am authorized to give an undertaking that no man will be prejudiced by reason of any evidence which he gives here.

Witness.—If you will excuse me, I have had some experience in railway service, and I know that an excuse can easily be secured to discharge a man without apparent discrimination. No man is perfect at his work, and it is very easy to secure an excuse for dismissal against a man who has made himself obnoxious to an official of a railway company with apparent good cause.

Mr. Rowe.—What, exactly, is the object in getting these names ?

Mr. Davis.—We want to follow it up. He says reports have been given from people he does not know.

Mr. Rowe.—He gives the name of the men to be engaged as a special constable.

Mr. Davis.—The question is whether or not the men had been engaged.

Mr. Rowe.—Have you got a man who would state as to that ?

Mr. Davis.—In that particular case we have got a man.

Mr. Bird.—Perhaps, in order to avoid this witness divulging anything, I could have particulars of discrimination handed in to the Commissioners and to my learned friend.

His Lordship.—What is sufficient for our purpose is that you have a certain number of men, whom, in your opinion, were discriminated against on the ground of belonging to this organization, and taking an active part in its organization. These ought to be sufficient for the purpose.

Mr. Davis.—Quite sufficient, so long as this evidence does not go further than that.

His Lordship.—Of course any mere testimony without mentioning names could not amount to anything with the Commission, anyway.

Mr. Bird.—I think I can furnish the Commissioners and Mr. Davis a complete statement of the men who claim to have been discriminated against.

His Lordship.—You are getting it down to a definite issue; I am very glad of that.

By Mr. Davis :

Q. Were there any further reasons besides those you have stated ?—A. I am just trying to think; I have been considerably cross-examined, and I am just trying to collect these facts if I can.

By His Lordship :

Q. Had the U.B.R.E. as a body made any demand on the C.P.R. at any time ?—A. Not at that time; the only demand that was ever made on the C.P.R. was in January. A request was made.

By Mr. Davis :

Q. I was going to ask him about that in a moment. It is rather a long story, and will interrupt this. No demand had been made prior to that time except the one in January ?—A. That is the case of men being called in by their superior officers and asked to withdraw from the U.B.R.E.

Q. These are all the reasons you have for saying that the men went on strike. These are all the reasons ?—A. All I can remember at the present time.

Q. I suppose the sum of the thing is, you are striking for self-preservation ?—A. Truly; I look on this more in the nature of a lock-out than a strike.

Q. Now, why, Mr. Johnstone, was it necessary to strike at that particular time, rather than ten days later. You said the Brotherhood would have been destroyed if

the strike had been allowed to stand for ten days longer ?—A. Yes, from the fact that some of our members would have been forced by their position, I believe, to withdraw from the organization, rather than sacrifice their position, and others would have been discharged, and others transferred.

Q. That is what you think would have happened within ten days ?—A. Yes.

Q. But you would have had, if you had waited the ten days, a lock-out, which would have been no worse than a strike for you, and I should think, better. Why didn't you wait the ten days and make it a lock-out instead of a strike ?—A. In other words you would advise the U. B. R. E. to allow the C. P. R. to crush them out, rather than make an effort in their defece ?

Q. I am asking you why you did not do that ?—A. My reason is, as I told you, that our members would have been discriminated against, and some of them forced to withdraw, others removed, and our forces would have been generally disorganized.

Q. Then it was absolutely necessary for the life of the Brotherhood that they should strike on the very day they struck ?—A. As I see it, and as I saw it then.

Q. There was nothing in these suggested reasons that they struck because Forrest had not been properly treated ?—A. No, that is a case I did not mention. So far as his case is concerned we have always been willing to take his case up on its merits.

Q. But you didn't ask that ? They were willing to investigate it ?—A. I don't know about that.

Q. You know their rule is that whenever any charge is made against an employee, they suspend him temporarily, investigate the charge, and if he is found guiltless he is reinstated and paid for the time lost ?—A. That is supposed to be the rule, but I have never experienced it.

Q. Did you understand that to be the rule ?—A. Yes.

Q. The U.B.R.E. did not allow that course to be pursued with Forrest, did they? —A. There is always a point at which things culminate. This case of Forrest's was the last thing that broke the camel's back.

His Lordship.—We know nothing about this Forrest case.

Mr. Davis.—The details are not of any particular importance.

Q. But you understand they set out in their statement of case that the reason they struck is because Forrest was suspended?—A. That is not as I stated it.

Q. Did the U. B. R. E. allow the C. P. R. to follow the usual course in the case of Forrest?—A. The U.B.R.E. was not considered in the case.

Q. Is that your answer ?—A. The C. P. R. have never agreed to recognize the U. B. R. E. in that respect.

Q. Is that your answer ?—A. Does that answer satisfy you ?

Q. Is it the best answer you can give ?—A. What answer do you wish ?

Q. Whatever other answer you can give ?—A. If you mean that the U. B. R. E. did not consent to suspension you are perfectly correct in believing that they did not consent to it.

Q. They were not willing that his case should be investigated in the usual way, but they required his immediate reinstatement ?—A. That is one of the requests, I believe.

Q. They said that unless that were done they would go on strike ?—A. Coupled with other clauses.

Q. But unless they reinstated Forrest the employees would go out on strike, would they not ?—A. That was one of the clauses, I believe.

Q. In fact, it was the only condition given, was it not ?—A. No.

Q. I will read you a notice—you recognize it, I presume ?—A. Yes.

(Exhibit 30 read).

VANCOUVER, February 26, 1903.

'R. MARPOLE, Esq.,
General Superintendent,
Canadian Pacific Railway,
Vancouver.

'DEAR SIR.—We, the undersigned committee of employees, have been instructed to write you requesting the immediate withdrawal of the suspension of H. P. Forrest of the local freight staff issued subsequent to your cancellation of his suspension by Mr. Beasley.

'We further request a cessation of the policy of intimidation lately pursued against the employees of various departments by your various officials because of their membership in the United Brotherhood of Railway Employees.

'A satisfactory reply hereto is requested by 11.30 o'clock to-morrow, 27th instant, otherwise the employees represented by this committee will cease work at 12 o'clock, noon.

'Yours truly,

(Signed.) ROBERT BROOKE,
F. J. WALKER,
DAVID LAVEROCK,
A. G. DENISON,
Acting——'

Q. That is the notice ?—A. Yes.

HIS LORDSHIP.—That letter is dated February 26th, the strike took place when ?

Mr. BIRD.—The clerks went out on the 27th, and the freight handlers on the 2nd.

By Mr. Davis :

Q. This committee of employees mentioned in the notice were U.B.R.E. men ?—A. I presume they were.

Q. The people striking were the U.B.R.E. ?—A. Yes.

Q. Unless Forrest were immediately reinstated the U.B.R.E. would immediately strike—is that not a fact ?—A. I presume. I want to draw your attention to the fact that Mr. Forrest's case was supposed to have been fully investigated previous to that by the C.P.R. or else how could they arrive at the decision to suspend him.

By Mr. Rowe :

Q. When was the suspension in the first place ?—A. Five o'clock on the 26th.

Mr. DAVIS.—The ordinary procedure is to suspend a man, and then investigate the charge. If the charge is not proved, he is reinstated and paid for all the time he is suspended.

HIS LORDSHIP.—I would like to get these dates in order. The same day the letter was written to Mr. Marpole, on the 27th, the clerks went out; then on March 2 the freight handlers went out. Now, who else went out, if anybody ?

WITNESS.—That was all in the city, I believe, in connection with that.

Mr. ROWE.—I understand that the clerks, the office men, the baggagemen and shop men went out on February 27, and the freight handlers on March 2 ?

WITNESS.—Yes, the total number of men being 215.

By Mr. Davis :

Q. From what you say the U.B.R.E. would have struck irrespective of this Forrest question ?—A. No.

HIS LORDSHIP.—We would like to get the chain of events, and the dates. I suppose we can get these.

Mr. DAVIS.—Yes.

His Lordship.—What about the teamsters and longshoremen ?

Mr. Bird.—I think these facts will come out in due course with the examination of the other witnesses.

His Lordship.—We would like to get the dates now.

Mr. Bodwell.—Could not a list be put in for the use of the Commissioners by to-morrow morning ?

Mr. Bird.—Yes, I can do that.

By Mr. Davis :

Q. Now the strike would have taken place at the same time apart from this question of Mr. Forest ?—A. No, I think not.

Q. If it were necessary for the Brotherhood to strike exactly then, why would it not ?—A. I cannot say positively in that case; that is a circumstance that I have not considered.

Q. That is the best answer you can give to that ?—A. Yes; I cannot say whether it would have taken place or not.

Q. The U.B.R.E. had held the company up in a similar way in the preceding January ?—A. I don't know that you could call it a hold-up.

Q. That was what Mr. Marpole called it at the time ?—A. Possibly, I don't know.

Q. How much notice did they give them ?—A. I could not say as to that.

Q. Both occasions were picked out with a special view—the Empress was coming in ?—A. No, I think not.

Q. It was a mere coincidence that the demand was made within 24 hours of the arrival of an Empress ?—A. I don't know.

Q. Do you think it was a coincidence or intentional ?—A. I suppose it was a coincidence.

Q. What notice was given in January—January 6, I think it was ?—A. I could not give the date.

Q. Do you know the details of that January meeting ?—A. Partly, I do.

Q. They demanded there again that a certain man should be reinstated without investigation, did they not—Halton ?—A. Yes, I remember the circumstance.

Q. That is true, is it not ? That he should be reinstated without investigation ?—A. Yes, certainly, reinstatement was requested.

Q. And it was not denied that what he had been suspended for had taken place—that he had left his employment without giving notice ?—A. That is denied.

Q. That he went to Seattle without permission ?—A. That is denied.

Q. He claimed to get permission to stay at home because he was sick ?—A. When I ask for leave of absence from the C. P. R. or my employer at any time, I claim I have a perfect right to use it as I see fit, so long as I don't exceed the absence which I have obtained, and I consider no man in the employ of the C. P. R. can do more.

Q. So that is your idea of things as a straightforward way of dealing with your employer, to obtain leave on the ground of sickness, and then go to Seattle ?—A. I don't know that he asked that.

Q. I am putting this fact to you ?—A. I don't know they are facts.

Q. If they were, would you consider that honest or straightforward way of dealing ?—A. I don't consider it any business of an employer how an employee spends his leave of absence.

Q. Would you consider it was honest dealing with his employer ?—A. I think he was perfectly within his rights.

Q. Now, the U. B. R. E. then demanded his reinstatement ?—A. Yes, I think it was requested; I don't know about demanded.

Q. Well, or they would strike ?—A. I don't remember whether that clause was in the request or not.

DAVID B. JOHNSTONE—Vancouver, June 4.

Q. And that was a day or two before Mr. Marpole was going away, in addition to this other trouble ?—A. I believe it was shortly before he went away.

Q. You heard what Mr. Marpole stated at the time—that he would have to give way and reinstate this man because a pistol was being held at his head ?—A. I think that was another occasion, when the pistol was held at his head.

Q. What was that occasion ?—A. That was during a little controversy in the freight office with reference to an increase of pay.

Q. You are in error as to that. But you would think that Mr. Marpole could properly use such language ?—A. No, I think not.

Q. When did Mr. Estes first come into this country ?—A. The first time, I think, was on November 15, 1902.

Q. He was here in January at the time of the threatened strike ?—A. Yes.

Q. And he interviewed Mr. Marpole ?—A. Yes.

Q. And you are aware that he was told by Mr. Marpole that if the U. B. R. E. were going to treat him that way that he would have to protect himself ?—A. I am not aware of that.

Q. You think it wise that they should make some provision against a similar thing happening—having been held up that way before ?—A. I don't know.

Q. Do you think any company or business man could run his business with discipline in that way ?—A. The question is who decides the discipline, the C.P.R.?

Q. Now, this U. B. R. E. were going to strike in January. In January, had the necessary steps been taken to have a strike of the U. B. R. E. ?—A. What do you refer to ?

Q. I am referring to just what I ask. On January 6, at the time that the U.B.R.E. threatened strike, had they put themselves in a position to strike legally under the constitution ?—A. They did not strike.

Q. Please answer the question that I ask ?—A. If you mean, did they carry out the constitution as it is laid down, no.

By His Lordship :

Q. That was in connection with the Halton case ?—A. Yes.

By Mr. Davis :

Q. The constitution seems very much like the proverbial pie-crust. You say, Mr. Johnstone, that there are only two or three socialists among the U. B. R. E. You are not, I presume, a socialist ?—A. I am not a member of any socialist party, but if you ask me if I believe in socialism, probably I will tell you I do to a certain extent.

Q. Perhaps this would be your idea. I am going to read you an extract, and ask you what you think of the sentiments expressed in that, whether or not you would approve of them in your president, Mr. Estes ?

Mr. BIRD.—What is that extract from ?

Mr. DAVIS.—It is an extract from a letter written by Mr. Estes, the president of the U. B. R. E., to Mr. Harold Poore, the organizer of the U. B. R. E.

Mr. BIRD.—I suppose my friend will produce the letter ?

Mr. DAVIS.—I may say, for my learned friend's benefit, that we are taking steps to have the original here.

HIS LORDSHIP.—If he undertakes to have the letter here, that is enough. At any rate the witness can give his answer conditionally, on the hypothesis that that was the letter.

Mr. DAVIS. —(Quotes from Exhibit 31).

> 'In all your writings carefully word your articles so as to develop a public sentiment for the U. B. R. E.—the Industrial Union Plan—the A. L. U., and against the reactionary and capitalistic party now temporarily in control of

the A. F. of L. and not against the masses of members comprising the A. F. of L. Continually separate the administration of the A. F. of L from the A.F. of L. itself, and give all possible praise to the masses of the A.F. of L., but without being personal or vindictive, condemn the temporary capitalistic administration of the A. F. of L. in the shortest terms you can possibly employ.'

'In this way you will constantly stimulate and augment a great public sentiment for the U. B. R. E., for the Industrial Union, for the A. L. U. and for socialism (but don't use the word) and against the capitalism and Gompers faction which is working in harmony with Marcus A. Hanna, and the infamous civic federation to keep down the masses of the people.'

Q. Is that in accordance with your own idea ?—A. Well, I could not say. I have not looked into that question thoroughly. I have my own idea of socialism, and I am not prepared to judge Mr. Estes' idea of socialism, as I don't know what his idea may be.

Q. You don't disapprove of socialism so long as the word is not used ?—A. Not necessarily that the word should not be used, or that I should entertain his idea.

Q. You don't then object to the word being used ?—A. No, I don't.

Q. And you have no objection to what Mr. Estes says ?—A. As I said before I don't object to the word, nor so far as I can see, to the general tone of the letter.

Q. I understand from you that the freight handlers who went out on the 2nd of March had an agreement in writing with the company binding them to work for the company at certain agreed wages, up to the 21st June, 1903, and not to leave that agreement without 30 days' notice?—A. That agreement is not binding as I understand it, it is merely a schedule of prices, and that these prices shall not be departed from without thirty days' notice, as I understand it.

Q. When did you arrive at that understanding ?—A. I have always had that understanding.

Q. That is not an agreement to work for the C.P.R. ?—A. No, because we were employed by the hour, and we had a right to terminate our employment at the end of any hour.

Mr. BIRD.—I understand there is no document signed by the union; that it was intended to be a mere memorandum of schedule of rates.

Mr. DAVIS.—What took place was that there was an agreement arrived at verbally. They agreed to it, and a letter was written by Mr. Marpole setting out the terms.

HIS LORDSHIP.—As I gather, it was simply a notice agreeing as to the wages paid.

Mr. DAVIS.—But really in force until the 21st June unless notice is given. It means, I think, that the men should remain working, otherwise it would amount to nothing.

HIS LORDSHIP.—It seems to me that the length of notice which the men must give is provided for so that as long as they are at work, the wages are not to be cut down without thirty days' notice. There is certainly no agreement. I don't suppose there could have been any agreement, because this body is not incorporated.

Mr. DAVIS.—There are written agreements with all these associations. As a rule they are made with a committee of the men signed by the committee and binding on the men.

Q. Then do I understand from you that this was not considered to be an agreement which required the men to remain working for the company for any particular length of time ?—A. Not as I understand it.

Q. I want to know what your understanding was then?—A. As I have always understood it, that schedule is merely a schedule of prices.

Q. Was it binding on the C. P. R.?—A. The C. P. R. had a perfect right to discharge me at any time if they saw fit, or any member of the freight-handlers' association.

Q. That is your understanding of the arrangement?—A. Perfectly.

Q. I understood you to tell my learned friend Mr. Bird that the freight handlers did not wish to go out at first on account of that agreement. What did you mean by that?—A. I meant just what I said; that although we did not consider the agreement actually binding, that the agreement was there.

Q. Was it an agreement or not?—A. The agreement there is with regard to prices. We did not wish to terminate that or interrupt the harmonious relations which had existed between ourselves and the company, without we were compelled to do so.

Q. And the mere striking of the U. B. R. E. was not sufficient?—A. No.

Q. Then what was sufficient?—A. From the fact that we as freight-handlers had decided to continue at our work.

Q. The striking of the U. B. R. E. was not sufficient to induce the freight-handlers, who were members also, to go out?—A. Yes.

Q. What then was sufficient to induce you to come out?—A. As I said already, this morning, the fact of our being placed in contact with scabs.

Q. In what way?—A. The fact of our members having to handle bills which had been made out by scabs, men who had taken the places of strikers.

Q. That is, the U. B. R. E. men, on strike two or three days before?—A. Exactly; and from the fact that men were there, as I said before, waiting to take our places, and that one of our men was discharged—Fowler, and from the fact that I myself, the last day I worked there—it has been my duty for some years to take charge of the freight office on Sunday—the last Sunday I worked I was shadowed by a scab from the time I entered the office until I left it; that man was at my elbow all the time.

Q. Who was the man?—A. I don't know, and I don't care to know him.

Q. Any other reasons?—A. No, I think those reasons are sufficient. There was a reason from the fact that the company wished to force on us a new agreement before the old one had expired, coupled with the amendment that our agreement would not be removed unless we withdrew our membership from the U.B.R.E.

Q. What difference would it make? You say the old agreement was not binding at all? How could there be a question of it expiring?—A. I don't know what was the reason of bringing that up.

Q. How could it make any difference?—A. If that agreement was not renewed I expect that our wages would be reduced.

Q. Why did you object to their wanting to renew it?—A. Because the old one had not expired. I assure you it is a new procedure on the part of the C.P.R. to try and rush agreements; they usually stand them off.

Q. Did not they want to make that agreement with you prior to the strike?—A. They knew it was coming.

Q. Was it not prior to the 27th?—A. It was on the evening of the 26th, I believe.

Q. That could not have been the reason why?—A. Yes, it was.

Q. Well, what was I going to say?—A. You were going to say that was the reason why they did not want to renew it.

Q. No, I was not going to say anything of the kind. If that was the reason for your striking, why didn't you strike with the rest of the U.B.R.E.?—A. We had not been shoved up against scabs.

Q. How could anything else result after these went on strike? How could anything else happened, but that somebody else should take their places and do that work?—A. That is not our affair.

Q. You might just as well have struck with them?—A. Possibly.

Q. Then it looked as though you were looking for some technicality to get over this agreement?—A. I don't look at it that way.

Q. As a matter of fact this constitution requires you to take the position which you did take?—A. I don't think that it does.

Q. I will read section 25. I think it goes a great deal farther even that you would go: (Quotes)

> 'Whenever a reasonable satisfactory adjustment of grievances of a member or of members of the Brotherhood, or of the Brotherhood, or any division or department thereof, is refused by the management of any railway, notice of refusal to adjust grievance may be given by the joint order of the president and Board of Directors, and upon the same being made, and until the same is revoked no member of the Brotherhood shall perform any labour or service in or upon any such railway or upon or in connection with any of the business, property, freight or passengers thereof either while actually upon said railway, or upon premises owned by the corporation owning the same, or under the control or direction of such corporation or its management, or that may be destined for or to be carried upon any such railway or any part thereof, or that may be coming from or to be transported from the same or from any part thereof, and while such notice is in effect and until the same is lawfully revoted by the authority issuing the same, no member of the Brotherhood shall in anywise handle, transport, or be in any way connected with the handling, transmission or transportation of any of the freight, or passengers or property of said railway or of the railways affected by and specified in said order, under penalty of expulsion.

Q. That would cover pretty nearly everything?—A. It covers a good systematic strike.

Q. For instance, lumber that was being brought over the C.P.R. for the building of houses—no member of the U.B.R.E. would have anything to do with that?—A. I presume not.

Q. It is about as sweeping as anything possibly could be, in brief.

Q. You have spoken of the discharge of Fowler. What was he discharged for?—A. As I understand it, for refusing to accept bills made out by scabs.

Q. Do you consider the travelling agent, Mr. Bell, a scab?—A. I consider any man or official who goes outside of his own department to perform labour, a scab.

Q. Do you consider the travelling agent a scab?—A. Yes, if he went out of his own department to scab.

Q. And the land agent, Mr. Forrest, a scab?—A. Yes.

Q. And because Fowler was dismissed for refusing to handle bills made out by these old officers of the C. P. R. they would go on strike?—A. One of the grounds; I don't know that it would be a ground by itself; I won't say that it would not, either.

By Mr. Rowe:

Q. These are documents that would not usually be made out by these officials?—A. Yes, these men were outside their own department; came into that department to take the place of men on strike.

Mr. BIRD.—My learned friend is proceeding on the assumption that these bills were made out by Messrs. Forrest and Bell. I am informed that they were made out by the scab employees who were put in substitution and not by officials of the company.

Mr. DAVIS.—I am not putting that in as evidence. As I understand, my instructions are that the document which Fowler refused to have anything to do with was made out by Bell and Forrest. I put it as hypothesis.

By Mr. Davis:

Q. The official paper, as I understand it, is the Railway Employees' Journal?—A. Yes.

DAVID B. JOHNSTONE—Vancouver, June 4.

Q. Published where?—A. In Frisco, I believe.

Q. Do the members of the U.B.R.E. subscribe to it, as a rule?—A. Every member of the U.B.R.E. gets a copy of it. I believe there is a copy once a week.

Q. Then you have been taking it yourself?—A. Yes.

(Copy of *Railway Employees' Journal* dated May 28, 1903, handed in, identified by witness. Exhibit 32.)

Q. This contains, among other items, the following:—

> 'The U.B. of R.E. has established a strong union in Great Falls. Some of the hardest workers in the new union are old members of the A.R.U. An ice-cream social was given on the west side, where the aims and objects of the new union were explained to the railway men. It is thought the U.B. of R.E. will shortly extend over the entire system. The plan of organization appeals to the workers. It embraces every employee of the railroads, from the man on the track to the clerk in the auditor's office. It believes in political action on the part of the unions; is affiliated with the A.L.U. and the Western Federation of Miners; has a membership of over twenty-five thousand, and is in a better position to give protection to its members than any other railway organization in existence.'

Mr. BIRD.—I believe that statement is absolutely correct. I would like to see if it is an editorial or not.

Mr. DAVIS.—I put in the issue of May 21, which contains, among other things, the following:—(Exhibit 33.)

> 'The strike of the Comox miners, at instance of Western Federation of Miners, and really in support of the U.B.R.E., shuts off the C.P.R. coal supply at the coast, as the company got 15,000 tons a month from this source.'

By His Lordship:

Q. Is that the official organ of the U.B.R.E.?—A. That is published in San Francisco.

Mr. DAVIS.—That is the official organ in the constitution. At page 36, article 12, section I., 'the *Railway Employees Journal* shall be the official organ of the Brotherhood.'

Q. That is the issue of March 19, is it not?—A. Yes.

(Put in, marked Exhibit 34.)

Mr. BIRD.—Is that an extract from any newspaper? The former was only an extract from a newspaper, without comment.

By Mr. Davis:

Q. This is the issue of March 12, is it not?—A. Yes.

(Exhibit 35.)

Mr. DAVIS.—My learned friend cannot take any exception to what I am going to read. It is an editorial of the first water, headed: 'The American Labour Union Takes a Hand:'

> 'The United Brotherhood has not been prone to boast of its power or its achievements, but it has gone steadily forward, and has so brought its members together that the spirit of fraternity and brotherhood is firmly engendered in their hearts and, if this fact has ever been questioned, the manner in which all are interesting themselves in the cause of their brothers in Canada would prove the contrary. Within a few hours after the members in Vancouver had severed their connection with the C. P. R., other divisions in Canada had signified their willingness to lend every aid to the cause.'

'——The American Labour Union has thrown its weight into the balance of justice's scales in favour of the United Brotherhood. On the 6th instant, a telegram was directed to the American Labour Union requesting that the Western Federation of Miners stop handling coal on Vancouver Island for the Canadian Pacific Railway. Within a few hours every member of the powerful Western Federation of Miners in Vancouver had ceased work.'

Mr. BODWELL.—That is the same date that Mr. Shenton telegraphed to Mr. Moyer, and the U. B. R. E. publish it as showing the connection between them and the Western Federation.

By Mr. Davis:

Q. That is the edition of April 23, is it not?—A. Yes.

(Exhibit 36.)

Q. It is more with a view of showing the light in which they treat this question of a strike. You have seen Mr. Estes' sheet 'from headquarters in the field' on the 27th?—A. I don't know that I have; I could not say that I have seen it.

Q. Just take a look at it?—A. Yes, I presume that is his circular, although I could not be positive, because I don't remember having read it before.

(Put in as Exhibit 37.)

Mr. DAVIS.—It is headed 'Executive Office, President's Headquarters in the Field,' and also 'General Offices, 210 Parrott Building, San Francisco,' and is addressed 'To all unions affiliated with the American Labour Union.' I am putting this in to show that Mr. Estes was practically at the bottom of this strike, practically from beginning to end.

HIS LORDSHIP.—It seems to be a fairly truthful account of matters up to date.

Mr. DAVIS.—Yes, with the exception of a certain amount of exaggeration. 'The Trades and Labour Councils at Vancouver, Winnipeg, Nelson, Calgary, Revelstoke and Victoria have endorsed the strike and are doing all in their power to help the movement, morally and financially. . . . There are one thousand men out (Of course, that is a little stretched). . . . Make all remittances to Fred. J. Halton. . . . Your for industrial unionism, Geo. Estes, President U.BR.E. We approve and endorse the above appeal.'—Signed by the officers of the American Labour Union.

Mr. BIRD.—I understand, Mr. Commissioners, that this document is not in yet. I am not prepared to admit that that was prepared by Mr. Estes. In fact, it appears on the face of it that it is not so. That was prepared by Mr. Halton, the secretary of the union here. He signed Mr. Estes name to it. If that is sought to be put in as capital against Mr. Estes I cannot admit the document.

HIS LORDSHIP.—There is nothing in the document you repudiate?

Mr. BIRD.—I repudiate the fact of the authorship of George Estes.

HIS LORDSHIP.—It is supposed to embody the true facts?

Mr. DAVIS.—With the exception of 945 instead of 1,000 out,

HIS LORDSHIP.—Is there anything in it you wish to repudiate on behalf of the U.B.R.E.?

Mr. BIRD.—It is sought to be put in by counsel for the C.P.R. from George Estes, representing the fact that he has controlled and managed the strike from the beginning.

Mr. DAVIS.—Mr. Halton will be in the box, and we can see if he has his authority.

Mr. BODWELL.—A copy of this circular has already been put in as an exhibit at Victoria, I think. It is marked Exhibit R.

DAVID B. JOHNSTONE—Vancouver, June 4.

By Mr. Davis :

Q. Have you ever seen this (Exhibit 38, Letter from Committee of Employees to R. Marpole, dated 5th January, 1903)?—A. No, I believe that is the first time I have seen it.

Q. Will you swear to that?—A. I will swear that I have no recollection of it.

Q. Or this sheet by Estes?—A. I know nothing about that circular.

Mr. DAVIS.—That is all.

By Mr. Bird :

Q. All communications, some of which have been filed by my learned friend, did they emanate from your union, or how were they presented to Mr. Marpole previous to the strike?—A. They would emanate from the executive under instructions from the union, I presume.

Q. Was there any necessary connection between that committee of employees who signed, and the union?—A. That would be acting on and by authority of the union.

Q. Did all the members of the U. B. R. E. come out on strike at the first instance on the 27th February? You told us the clerks—were there any exceptions?—A. Yes. There was, I believe, a man by the name of Burns, who did not go out, a man named Ferris, and a man named Dangerfield who did not go out at that time.

Q. Where there any members who were not called out?—A. Yes.

Q. How is that?—A. Because we had some members, one in particular whom I have in my mind, who was past the age of retiring according to the C. P. R. pension scheme, and for him to desert his employment would expose him to the penalty of losing his pension.

Q. Were there any more besides this one man who were allowed to stay in, although the union men went out?—A. Yes, there was one, a C. P. R. police officer.

Q. I don't want the names, but how many were there, do you know, members of the union allowed to remain at the present time?—A. Four I have in my mind at the present time.

Q. Why was an exception made in their case—you have told us one on account of age?—A. Yes.

Q. Any circumstances in connection with the others?—A. Two of them were on account of being the only two men in their department, I believe, and the other one was a police officer, and they did not want to interfere with him.

By His Lordship:

Q. Do you approve of sympathetic strikes, Mr. Johnstone?—A. I do not, my Lord.

Q. Then so far as you had any view or opinion in the matter you would not have approved of calling out the miners at Vancouver Island in sympathy with the U. B. R. E.?—A. No, I could not say that I would approve of it.

Q. Do you approve of the boycott?—A. I do, my Lord, where it becomes necessary.

Q. I notice a statement in to-day's paper that a woman keeping a boarding house was forced to exclude scabs, as they are called by union men, in this way—that the union men threatened to leave unless the other people were expelled?—A. I would consider that would be perfectly right. I would be sorry to sit at the same table as a scab.

Q. You cannot sit at the same table as a scab?—A. No, sir; not if I know it.

Q. And you think it is right to bring pressure on this woman to expel these people?—A. I consider that a scab is nothing more or less than a murderer, pure and simple. A scab comes and takes the bread out of my mouth and my children's mouths.

Q. Would you say that a man has a right to belong to a union or not, as he pleases?—A. I don't believe in forcing a man into joining the union.

Q. You think he should have the privilege of joining or not, if he sees fit?—A. Yes.

Q. Then if he sees fit he need not belong to a union ?—A. Not in my opinion, so long as he lives up to union principles.

Q. Supposing he does not approve of union principles; he has a right to his opinfinon ?—A. He is a traitor to his class.

Q. But I am talking of non-union men ?—A. I would not approve of forcing a man to join the union.

Q. And there are plenty of men who don't approve of joining unions ?—A. Not reputable workmen.

Q. You think the great majority are in favour of joining a union ?—A. Yes.

Q. A non-union man, or scab as you will call him, has a right to live, has he not ?—A. Yes.

Q. If a non-union man has a right to get work, has not another man a right to give him work ? One involves the other, does it not ?—A. Well, yes.

Q. Then, if an employer has the right to employ a non-union man, the union has no right to force an employer to employ union men; is that right ?—A. My Lord, that is a very broad question. It is almost impossible to force an employer to employ union men, but on the other hand it is not impossible to educate employees into joining the union.

Q. We can grant that the men have a right to form a union, but have they the right to force it on an employer?—A. If it is found necessary; in a great number of cases it is necessary.

Q. But you have admitted that an employer has the right to employ non-union men ?—A. The position is this; I would not like to discriminate against a man because he objected to becoming a member of the union, or see him forced out of his position. I would go that far.

Q. If an employer has the right to employ a non-union man it follows that the union has no right to force an employer to employ them to the exclusion of everybody else, because if that principle were adopted a non-union man could not get work ?—A. He could easily become a union man.

Q. Yes, but he might not want to. It is a free country ?—A. Yes; the sooner he becomes a citizen of some other country the better.

Q. Now the position a union takes when it tries to force an employer is this: you must either do business with us or nobody else ?—A. Well, the effort, I presume, is along this line, to prevent, if possible, an employer doing business with somebody else. But at the same time it cannot always be done.

Q. But that is the position which the union virtually takes ?—A. To prevent, if possible, the employer doing business with anybody else.

Q. So that the right of choice with the employer to employ union or non-union men is stopped. That is, you don't concede the right to an employer to employ non-union men when you strike for recognition ?—A. That is in the limit of the union. They might permit an employer to employ non-union men, and still be treated with an employer as a union.

Q. At all events the object of unionism is to force employment to employ union labour to the exclusion of non-union labour ?—A. Certainly.

By Mr. Rowe :

Q. I understand you would not refuse work to non-union men ?—A. No, I would not, but I would endeavour to see that they became union men as soon as possible.

Q. What do you understand by sympathetic strike ?—A. As I understand, it means that one organization goes out in sympathy with another, without having any direct interest or connection with that organization. A sympathetic strike is a strike purely from sympathy. These men are fighting for what they consider their rights,

and another union stands by and says, that is not right, we are going to get in and assist these men.

Q. When there is no connection between the two, how can a sympathetic strike do any good?—A. It might do some good by hampering the man who is employing them to such an extent that they would insist on the party causing this strike to settle.

Q. Would you consider, for instance the British Columbia Steamshipmen's Society justified in striking with the U.B.R.E.?—A. Not if they had no other occasion, but of course, as we know they had connection with our action in being asked to handle scab freight to and from ships.

Q. Why would the railway societies that had to deliver freight to substitute men, feel bound to strike?—A. I could not answer that question.

Q. Do you think the obligation upon them to strike, from the union standpoint, was as great as the steamship men ?—A. There is, I understand, a difference in the position of the organization.

Q. A difference in their sensitiveness to the needs of the union ?—A. Possibly.

By His Lordship :

Q. There are a large number of railway employees that do not sympathize with the U.B.R.E. ?—A. Yes.

Q. And did not approve of this strike ?—A. Yes, that is correct.

Q. And were requested to assist in this strike ?—A. Possibly they may have been; I don't know.

Q. Would you say that these people were not good union people ?—A. I would say that men who took the places of our strikers were not good union people, although they belonged to a union organization.

Q. And suppose they, on the other hand, considered that you had no justification for going out, from their standpoint it would be right for them to take their places? —A. No, I cannot see any reason that will excuse a union man scabbing on his fellow workmen.

By Mr. Rowe :

Q. To refer to another matter, I am not quite clear upon in reference to the Forrest case. You say there had been time given to investigate the case of Forrest before action was taken by the U.B.R.E. ?—A. What I said was this: that the company must have already investigated the charge against him, or they would not have been in a position to suspend him.

Q. The company say the custom is to suspend, investigate and reinstate with pay for loss of time. if the charge is not founded ?—A. I think you will have evidence to show that Mr. Forrest was not only suspended, but also threatened with pressure in the courts.

Q. Do you assent to the statement that proceedings were taken against him on the morning of February 26, by the company—that was the time ?—A. Yes, on the 26th, as I remember it.

Q. Do you think unions should be incorporated ?—A. No, my Lord, I don't.

Q. Why ?—A. That is a very sore point with union men—the suggestion of incorporation. If a union is incorporated, it becomes immediately a target for legal actions by corporations such as the C.P.R.

By His Lordship :

Q. Don't you think were a union has power it should have corresponding responsibility ?—A. Yes, but the question is, that corporations like the C.P.R. who engage their solicitors by the year, it costs them practically nothing to be in court all the time. What society could stand up against actions brought on possibly the most trivial charges, and we would have to fight these and spend a lot of money which we would lay by for sick benefits would be spent and used.

DAVID B. JOHNSTONE—Vancouver, June 4.

Q. The anthracite mine workers had nine counsel in their strike ?—A. My Lord, it costs money.

His Lordship.—I guess it does.

By Mr. Rowe :

Q. Would it be good business for the transportation company to be constantly at litigation with its employees ?—A. I don't know. The public seem to have considerable confidence in the C.P.R., although they have been in trouble with their employees here for three months, and we have had considerable difficulty with them.

By His Lordship :

Q. You think the C.P.R. should be got at in the courts, but that the union should not ?—A. No, I don't agree with you altogether. The reasons which I have stated I think are good.

Q. How do you expect that an employer is going to recognize a union which cannot live up to its contract ?—A. I believe it is the intention of the members of a union generally, when a contract is made, to live up to it, and I believe as a rule they do, but there is no contract, your Lordship, which I would consider should ever bind a union man to work among scabs.

Q. The obligation of the union is higher than the obligation to a contract ?—A. Not necessarily, but if you bind a man down to a contract that he is to work a certain length of time, and a body of men go on strike, and he may be forced to work along with a scab.

Q. Yes, but the object of unionism is to prevail on employers to make a contract with them as a union, and not as individuals. How do you expect them to do this, unless it is shown by experience that unions will keep their contracts ?—A. I believe that experience has shown that unions do keep their contracts as a rule.

Q. No one can tell when an exception is going to occur ?—A. That is quite true.

Q. The difficulty is that there is no redress in the courts for the breaking of contracts. That is a proposition you cannot reasonably expect ?—A. In the matter of incorporation the advantage is all on the side of the employer. He has the advantage, especially a large corporation. He has the advantage of being in the courts without it costing him a particular amount of money, and suppose something trifling occurs he has the option of entering action against the union for damages, and as we know, these cases go up from court to court and cost money. If an action of that kind could be settled in the county court it is a small matter, but if it goes to the Supreme Court or the Privy Council, it takes money to follow it through.

By Mr. Rowe :

Q. But the company could not attack a union for the acts of its individual members, unless in violation of some form of contract ?—A. I don't know, why not.

Q. How do you think disagreements or strikes should be settled between employers and employees ?—A. That is a serious question, and if some just means of arbitration could be arrived at, it is the proper course to pursue, to my mind, in settling these matters, but, to my mind, the difficulty is to secure an impartial board of arbitrators.

Q. Why ?—A. Well, in a controversy between say a transportation company and its employees, the company have so many means of showing favours, which could not be considered as such, or perhaps even intended that way. If it were in the hands of an arbitrator for any length of time, I would fear of him continuing impartial; for instance we will say, transportation across the continent in a private car, a few months at a summer hotel, and things of that kind. I would be very loth to put my case before an arbitrator who had been taking advantage of anything of that kind.

Q. You feel that the difficulty in arbitration is that there is not enough moral stamina in the race to produce men immune to bribes ?—A. No, there are such men, but the trouble is to find them.

By His Lordship :

Q. They are very scarce ?—A. Yes.

By Mr. Rowe :

Q. I suppose until we get a higher moral development we will have to go on striking ?—A. I hope not.

Mr. BIRD.—The socialists say that private profit is at the root of the evil.

HIS LORDSHIP.—Well, it is remarkable, the very few socialists that are rich!

Mr. DAVIS.—I would ask my learned friend to give particulars of the intimidation that is mentioned in this list. He alleges that we have intimidated certain men, mentioning them. There is not a date whatever, by which we can get any evidence.

HIS LORDSHIP.—Probably the best thing would be to put your men in the box.

Mr. BIRD.—The most of these men whom I have mentioned will be witnesses before this Commission.

I have been instructed by the committee of the U. B. R. E. who are engineering these proceedings on behalf of their organization, to state that, so far as the arbitration is concerned, that we are content and have confidence in the present Commissioners arbitrating the matter, if it was thought well by the C. P. R., to allow them to sit as a board of arbitrators as well as Commissioners in regard to this investigation, subject to the action of the executive in this regard being sanctioned at a meeting to be called to-night. I might add that the case of the U. B. R. E., should my offer be accepted by the C.P.R., may be left with your Lordships to deal with as a board of arbitrators, and the U. B. R. E. will agree to be bound by such award as you will agree to.

HIS LORDSHIP.—I understand the difficulty is that the C. P. R. won't recognize this union.

Mr. BIRD.—We don't ask that. We are not before your Lordships to ask recognition at the hands of the C. P. R. All we ask is the privilege to work, and the privilege after working hours, of being left alone by the C. P. R. or any body of employers for whom we agree to work; to use our spare time just as we please, and as long as we give the company faithful service and they treat us properly there will be no trouble. But out of these hours we don't want to be called on the carpet and given to understand that advancement will be postponed, if not completely blocked. That is the position of the U. B. R. E. to-day. And in all fairness such an offer as is now made might well be accepted by the C. P. R. if they desire to appear before the public as fair-minded men. I ask that the offer be considered by them, and that they let us have an answer to-morrow. It was suggested yesterday that an offer of settlement was to be submitted to the general manager of the company. We have heard nothing in reply. The company have not condescended to give us any reason as to whether the matter would even be considered.

Mr. DAVIS.—Mr. Marpole has not received any answer. There is no question of discourtesy about that.

I will just simply say that the suggestion of your Lordship hits the trouble exactly. My learned friend chooses to take a different meaning out of the word recognize. There is no use of our quarrelling about words. He takes a different position than his clients took originally. Things have got in such a position that the men can go back, but they must withdraw from the U. B. R. E., and a number of men have gone back in that way, and the company would not feel that they were acting fairly to these men if they did not continue to insist on the same conditions as to any other men going

back. That being so, practically, as your Lordship says, leaves nothing for the Commission to consider, because my learned friend says they are not complaining about anything.

Mr. ROWE.—That is to say, that men belonging to the U. B. R. E. cannot get employment on the C. P. R.

Mr. DAVIS.—At the present time.

Mr. ROWE.—That seems to me to be very strong.

Mr. DAVIS.—We have been forced into that position. That was not the position taken at the time the men struck. At that time it was sought to have the union recognized in a still higher sense than now. They are not pressing that now, but things have got into such a shape, and we have seen so much of the workings of the U.B.R.E. it would create interminable confusion on the C. P. R. with the other unions, and the company have decided that the other unions and this union could not work together. Our experience has been—well, I don't want to go on and say what conclusions we have drawn—we are going to put the evidence in, and at the close of it we think any reasonable man will draw the conclusion we have drawn, that it is an absolute impossibility for the U. B. R. E.—for reasons which we think will be patent, and which I don't want to state at the present time—and the company to get along, and there has been no railway in the United States or in Canada that has been able to get along with that organization. The C.P.R. feel that the public good of Canada itself would be threatened by that organization, and I think we will be able to satisfy your Honours of that from the evidence.

HIS LORDSHIP.—Sufficient appears, Mr. Bird, to show that the C. P. R. are not prepared to submit anything of that sort to arbitration. As far as I can see, it is a matter very difficult to arbitrate; it is a question of policy.

Mr. BIRD.—My learned friend says, at the conclusion of the evidence any reasonable man will come to the conclusion of the C. P. R. I don't know whether my learned friend wishes to imply that the Commissioners are not reasonable men. If it is shown that the life of the C. P. R. is in danger, they are prepared to drop out of the organization, that is, if the members of the U. B. R. E. may go back. If my learned friend is willing to say that any reasonable man will agree with the proposition of the C. P. R., I say that they should submit it to reasonable men and substantiate it by evidence in the box. I believe the points of difference are not very great. By the kindness of certain gentlemen who acted as an absolutely independent committee, the U. B. R. E. side and the C. P. R. side were put down in writing, and there is very little difference between the one and the other; practically, it is a mere matter or whether these men if they go back will be allowed to remain members of the order of their choice. That is substantially the only difference.

HIS LORDSHIP.—There is, of course, a very clear distinction between the union demanding recognition by a committee of the union and simply desiring to be left alone as far as the union is concerned. It is one thing to try and force an employer to recognize a union by means of a committee, and another thing to ask an employer not to interfere with them by reason of their being members. As far as I can see, the demand for recognition is not susceptible to arbitration. That is taking away from the employer the choice of who he shall employ.

Mr. BIRD.—That would, I presume, have to be left in the hands of the C.P.R. ?

HIS LORDSHIP.—And allow the U. B.R.E. to remain in existence as heretofore, unrecognized ?

Mr. BIRD.—We ask that the *status quo*, which was disturbed by the C.P.R. be replaced. It was disturbed without justification, we say, and we propose to show it. It was disturbed by a committee only, and not as a committee of the U.B.R.E. We ask that that condition be replaced.

Mr. ROWE.—You took action as a union ?

Mr. BIRD.—Only as a committee of employees, and this action of the committee of employees was sanctioned by the union, and the union went out. I understand the constitution does not allow any strike really, and this strike was owing to the life of the union being at stake. The constitution does not allow a strike until it is 100,000 strong. It is only 25,000 now, and I think the prospects are, with the relations heretofore existing, that these men may be at peace for years. I propose to show that this body of clerks have been imposed upon in a manner which will explain the necessity of organization in employees of such a body as the C.P.R.

HIS LORDSHIP.—Of course both sides must consent before we could even consider this proposition.

Mr. BIRD.—There is another thing. The C.P.R. are a corporation which a few hundred dollars does not weigh an ounce to. To the U.B.R.E. a few hundred dollars, such as the expenses to which Mr. Estes might be put in coming here, amounts to a good deal. They are out of employment; they have been seeking funds, and have been getting them in no stinted amounts. At the same time it will cost a large amount of money to bring Mr. Estes from Denver. And if the C.P.R. want a full disclosure, I ask that his expenses be paid, and that he be granted protection. I ask that with the knowledge of certain proceedings that have been instituted.

Mr. DAVIS.—I am surprised at my learned friend taking that position. There is no more desire to have the facts brought out here on the part of the C.P.R., than there is on the part of his client. The only desire is that the facts be placed before the Commissioners. Anything we can do to present our side of the case, we consider it our duty to do, and we will do. I think if my learned friend's clients do not wish the expense of bringing Mr. Estes here, they should appeal to the government for that purpose.

HIS LORDSHIP.—I think it would be a good thing for the government to pay the expenses.

Mr. DAVIS.—Mr. Estes ran away from here about the time the Commission was expected to be here.

Mr. BIRD.—I don't believe that to be a fact. We had no idea of when the Commission would be sitting here, and I think my learned friend should retract that.

HIS LORDSHIP.—Do you think Mr. Estes will come back if his expenses are guaranteed?

Mr. BIRD.—I do. I understand he is a very busy man, and that he is worth a good deal to the U.B.R.E., and has dates ahead of importance.

HIS LORDSHIP.—If Mr. Estes has got the welfare of the U.B.R.E. at heart he should not leave them in the lurch; you must know the U.B.R.E. is on trial here.

Mr. BIRD.—I do believe that, and I believe if he does come across the line he may be on trial himself. I would ask safe custody as under subpœna might be granted him.

Mr. DAVIS.—We will undertake that we will not proceed against him criminally, if that is what you mean.

HIS LORDSHIP.—Mr. Estes may unwittingly have committed some breach of Canadian law, but I don't suppose anyone wants him prosecuted for anything of that sort. Certainly, the Commission think he should be here, if for no other purpose than to see that the men's case is put properly before the Commission. He is certainly one of the leaders of this party, and knows a good deal about its workings.

Mr. BIRD.—That is so, but as your Lordship has been apprised by the evidence, the U.B.R.E. is 25,000 strong, and he has other duties to perform.

HIS LORDSHIP.—The order has been established there, and it is a fight for its existence going on here. This is really the place where he should be.

Mr. ROWE.—Have you heard from him?

Mr. BIRD.—We have no reply yet.

VANCOUVER, June 5, 1903.

(Mr. Bird puts in document showing dates of strikes of U.B.R.E. at Vancouver and other striking unions, and dates at which the branches at Nelson, Revelstoke, Calgary and Winnipeg went out.)

(Documents for which privilege not claimed put in by both sides.)

WILLIAM J. MCMILLAN, sworn.

By Mr. Bird :

Q. What is your occupation, Mr. McMillan ?—A. Wholesale grocer.

Q. Carrying on business where ?—A. In the city.

Q. Do you ever remember, during the progress of the present strike, having a conversation with any of the officers of the company in regard to a black list ?—A. Not in regard to any black list.

Q. Just tell us—had you a conversation with any officers of the company in regard to this strike ?—A. I had a conversation somewhere about the 10th of June with Mr. Greer—the 10 of March I mean. With Mr. Greer and Keith, with regard to the condition of the company as to freight. They came down to my office, and we had a general conversation on their ability to carry on business.

Q. What was said there in regard to the strike ?—A. They said that as far as the city here was concerned, they had sufficient force to carry on their business, and could look after it all right. I expressed doubt as to the other unions not joining the U. B. R. E. and put the company practically out of business. They said there was no danger —that they had agreements, the effect of which would be, if the other unions went on strike they could not get a situation on any other road in North America. That is the only conversation I had.

Q. That the company had an agreement the effect of which would be if these men went on strike, they could not get positions in North America ?—A. Yes.

Q. With whom was this agreement supposed to be ?—A. I did not question them any further. Mr. Peters made the statement. I did not question as to who the agreement was made with. I just took the statement as given to me.

By Mr. Davis :

Q. Which one was it said this ?—A. Mr. Peters.

Q. Mr. Peters was reassuring you that there would be no difficulty as to freight ? —A. Yes, certainly.

Q. And you don't remember anything more of the conversation than what you have stated ?—A. The conversation was general.

Q. The general effect of it was that you need not be concerned—the C. P. R. would be able to handle the freight ?—A. Yes.

Q. The strike was causing considerable anxiety to business men in the city here ? —A. Certainly.

Q. At that time what bodies had struck ?—A. I am not in a position to state as to what bodies had gone on strike. I understood that the freight handlers and the teamsters had refused to take C. P. R. freight. I think that was about the condition.

Q. Did the builders strike in sympathy ?—A. I don't know.

Q. To tie up all the C. P. R. offices for a short time would be a serious thing for Vancouver ?—A. Their purpose in visiting me was—we had been delivering some freight by the Great Northern, fearing they would be tied up in some way, and that was the occasion of their visit.

Q. That if there was a strike on the C. P. R. the result would be a diversion of business to the American railway ?—A. Entirely, yes.

Q. If the C.P.R. really was tied up it would be a very serious thing to the city of Vancouver ?—A. Certainly.

Q. To the whole of Canada ?—You see the C.P.R. runs through territory you cannot reach by any other route.

Q. And it would be not only for Vancouver, but the whole of Canada ?—A. Certainly.

Q. It would be a very good thing for the American roads ?—A. I suppose they would reap some benefit from it.

Q. It is an ill wind that blows nobody good ! We have had a great deal of trouble with reference to strikes, in British Columbia lately ?—A. Seems to be.

By His Lordship :

Q. What is your idea as to the method of handling these things ?—A. That is a pretty serious question.

Q. Have you ever considered it ?—A. I really do not care to express an opinion. I don't think I am competent enough to do that.

Q. You don't know anything about the U. B. R. E. yourself, I suppose ?—A. No.

Q. Can you give us any idea of the losses of the wholesale trade by reason of the strike which commenced on February 27 ?—A. I don't think there has been any serious loss occasioned by it. Business has moved right along. There has been some loss, but business has gone on just the same.

By Mr. Davis :

Q. If the C.P.R. had not been able to handle it, the loss would, of course have been very heavy. Can you give any approximate idea of the loss that would result to the wholesale business of the city if the C.P.R. were tied up for, say, two weeks ?—A. Two weeks, I don't suppose, would occasion a very great loss, because the supplies would tide us over for that time.

Q. Well, say a month ?—A. The trouble would be occasioned by the points that the C. P. R. touched—the interior. Business would be naturally shut off, and what the loss would be it would be hard to estimate. Several points where other railroads touch could be handled by other roads.

Q. The loss would be greater where the American roads don't touch ?—A. Yes. It would be a hard thing to estimate.

Q. Did the merchants agree to handle their own stuff from the wharf in order to get over the teamster's strike ?—A. There was no different arrangement than before.

Q. Didn't the merchants make an agreement among themselves that they would go down and handle their own freight, or by non-union labour ?—A. There was an agreement that was drawn up, but that was not the scope of the agreement. It was that the merchants would support the master teamsters as against the striking teamsters.

Q. There was such an agreement as that ?—A. Yes.

Q. And the reason was what ? It was, in the first place, they considered the teamsters had struck without a grievance—is that not right ?—A. I don't think that was so.

Q. But the teamsters did not pretend to have any grievance—it was a sympathetic strike ?—A. It was a sympathetic strike. I don't know of any grievance which they had.

WILLIAM J. McMILLAN—Vancouver, June 5.

Q. And the merchants had to come to that conclusion for their own protection ?—A. Well, there is a difference of opinion there.

Q. They thought they had ?—A. Some did, I suppose.

Q. What would be the result if one merchant got a non-union man to handle his freight, so far as the striking unions were concerned ?—A. They have been handling their freight with non-union teamsters, and I have not seen any results.

Q. You think there would be no resentment shown if a single merchant had got non-union men to handle the freight ?—A. The non-union men have handled the freight, and I have seen nothing.

Q. What was the case of Davidson & Woodward being blacklisted ?

(Mr. Bird objects.)

His Lordship.—We want to get a thorough appreciation of the exact condition of affairs as affecting all classes of the community.

By Mr. Davis :

Q. What was the reason of Davidson & Woodward being blacklisted ?

His Lordship.—What do you mean by being blacklisted ?

By Mr. Davis :

Q. You understand what is meant ?—A. There is what they call an unfair list. I saw in some of the papers an unfair list printed, and I don't know anything further than that list has been printed.

By His Lordship :

Q. An unfair list of grocers ?—A. Whatever particular business they are employed in—different trades.

Q. What paper is it printed in ?—A. I think in the union paper, the 'Independent' or the 'Clarion'—I don't remember which.

By Mr. Davis :

Q. You understand what the publication of that unfair list means. For instance, you will see a list of people published as unfair, like Davidson & Woodward, also men who went back to the C. P. R. have been published as unfair. You understand what that means ?—A. I understand it means they are unfair to union labour.

Q. And the result of that you understand, don't you ?—A. If your shop were put on the unfair list would you expect union people to deal with you ?—A. Naturally I would not.

Q. So, that being put on the unfair list means to establish a boycott against that individual ?—A. I suppose so.

Q. You know that Davidson & Woodward were put on the unfair list—by whom ?—A. I suppose by the unions of the city.

Q. Do you know what unions ?—A. I don't remember. I did not read the article with sufficient interest.

Q. You know Cook the contractor who was building a departmental store—was there not some trouble with him over Davidson and Woodward—that is correct ?—A. Yes.

His Lordship.—Had we better not get this from Cook ?

Witness.—I could not give my evidence on a matter of that kind.

By His Lordship:

Q. Have you ever been threatened with blacklist yourself ?—A. No, sir.

Q. Was the agreement between the merchants in writing ?—A. Yes, between the merchants and the master teamsters.

Q. Where is that agreement ?—A. I don't know. They sent it for my signature and I did not sign it.

Q. How many merchants did sign it ?—A. Quite a number.

Q. Where is that document—can you give us any idea ? Who would be likely to have it ?—A. It was presented to me by Mr. Pilkington, I think.

Q. Had the merchants any secretary or officers acting for this purpose ?—A. I think it was drawn up in the establishments of the merchants, without any organization at all.

Q. Can you give us any information which would lead us to discover where this document is ?—A. I think it must be with the master freight handlers.

Q. How was this freight handled ?—A. It is handled by union teamsters, and by some non-union teamsters.

Q. What master drayman could you get this agreement from?—A. I think the transfer company will be able to furnish you with a copy.

Q. Can you give us any estimate of the consequence of men being put on the unfair list ?—A. I cannot give any opinion on it at all. I cannot see any consequence in it very much.

By Mr. Bird :

Q. If you refuse to employ any class of labour yourself, Mr. McMillan, would you expect as a merchant that that class of labour would deal with you ?—A. I would expect they would not.

Q. Supposing you singled out any class of this community and let it be known that you would not employ them, you could not expect to see their names on your books, or them to deal in your store ?—A. Certainly not.

Q. Now, if John Smith refused to employ union labour, would you expect that union labour would not take notice of that fact and let it be known among themselves that he was considered unfair?—A. Certainly, I think such a procedure would be reasonable.

Q. So that if Messrs. Woodward & Davidson let it be known that they would not employ union labour you think it would be reasonable for union labour—that it would be well for union labour to recognize that fact ?—A. Certainly.

Q. And such a statement to the public as an unfair list is a statement of fact to union labour—By the way did you see the list published in any but recognized labour papers ?—A. No

Q. You say that such a statement appearing in the paper would be an announcement of the fact that these men had refused to employ union labour ?—A. Yes.

Q. And that is what constitutes an unfair list ?—A. I could not express an opinion as to that constituting an unfair list. I am not conversant with the matter.

Q. The C. P. R.'s position here in this province, is practically that of a monopoly, is it not ?—A. Yes, practically.

Q. That is to a certain territory in this province at all events, the C. P. R. can dictate what rates they please ?—A. Well, I think it is subject to some legislation. I don't know how far they can go, as to what rates they can charge, but I suppose they make the rates as much as the people can stand.

Q. Now, Vancouver has a certain competitive system. There is a possibility of getting freight in here without bringing it over the C. P. R. ?—A. From eastern points, yes.

Q. Has that been taken advantage of?—A. Yes, all the time.

Q. So that the mere fact of your shipping over the Canada Northern or any line does not necessarily indicate a condition of strike ?—A. Oh, no, we have done that heretofore.

Q. And you have altered your position materially by reason of this strike ?—A. I did regarding the difficulty occasioned by the strike.

Q. For how long ?—A. It has not hardly changed yet very much.

Q. How do you mean—changed much ?—A. That we are shipping both ways—over the C. P. R. and the Great Northern.

Q. And the strike has not altered your arrangements in regard to shipment to a great extent ?—A. No, sir.

Q. I understand you stated to His Lordship that you refused to sign this agreement in regard to upholding the master draymen in regard to the striking teamsters ?—A. Yes.

Q. And did you find that it was absolutely necessary for you to make a stand against labour in order to get your goods transhipped ?—A. No, I did not.

Q. You found the union men reasonably fair in connection with handling your goods ?—A. We found them more fair than the others—the non-union labour.

By Mr. Davis:

Q. Why did you refuse to sign the agreement ?—A. We wished to allow any firm to control their own business.

Q. What was your reason ?—A. Simply that we did not wish to sign it.

Q. Why ?—A. That was the reason—that we took upon ourselves the right to control our own business. Simply that we wished to control our own business without interference from the outside.

Q. Signing the agreement would not interfere ?—A. Certainly it would, because we would agree to employ certain draymen.

Q. Was that agreement to employ certain draymen ?—A. The agreement was between certain master draymen and the merchants, and you had to employ these draymen set forth in the agreement.

Q. And the reason you refused to sign it, you wished to be free to employ any draymen you pleased ?—A. Yes.

Q. Do you believe that the strike was intended in any way to advance the interests of the American railways against the Canadian interests ?—A. I don't think so.

Q. Do you think it had any connection with a desire on the part of the U. B. R. E. to curry favour with the American railway interests or otherwise ?—A. I don't think so.

By His Lordship :

Q. You say you found the union men more fair than the non-union ?—A. Yes.

Q. How did you get your freight handlers ?—A. After the strike occurred we had to employ certain non-union teamsters. They charged us double rates, where the union charged regular prices.

Q. How did you get them to handle the freight ?—A. They handled anything that did not affect the C. P. R.

Q. You say that non-union men took advantage of the trouble to charge double rates as far as the C. P. R. was concerned ?—A. Certainly.

Q. Can you tell us a little more specifically what the rates were ?—A. The regular rates charged upon drayage is 50 cents. They charged us $1.00.

Q. Was this charged to the people who entered into the agreement with the master draymen ?—A. I don't know what effect it had with the other merchants; I only know what effect it had with ourselves.

Q. What proportion of the merchants of the town entered into this agreement ?—A. The agreement when it was presented for my signature possibly had about fifteen names on it. It was an agreement between the merchants and the master draymen. I may say that the names of the merchants attached to the agreement were about fifteen, I think.

By Mr. Davis :

Q. Did any refuse to sign that agreement except yourself ?—A. I cannot answer that question.

Q. Don't you know as a matter of general note that you are the only merchant ?—A. I have not heard that. I cannot answer that question.

Q. Did you ever hear of any other merchant who did not sign ?—A. I did not.

Q. You say you were charged double by the non-union men to haul for the C. P.R.; that was on account of the strike ?—A. Yes.

Q. Men were taking a certain amount of risk ?—A. I could not see what risk they were taking.

Q. Don't you think that a union man who is handling freight for the C. P. R. was taking a certain amount of risk ?—A. If a man treated me unfairly I would not care to deal with him.

Q. I am asking you whether they were not taking a business risk apart from any other reason ?—A. I know of no other risk.

HARRY WILSON, sworn.

By Mr. Bird :

Q. Are you one of the ex-employees of the C. P. R. and a member of the U. B. R. E.?—A. Yes.

Q. What position did you hold in the company's service ?—A. Chief clerk in the car service department.

Q. Are you a striker ?—A. I am not ; I was dismissed from the service.

Q. How long have you been in the employ of the company ?—A. Seven years at two different periods. Of course the first service does not count; three years up to the time I was dismissed.

Q. And where ?—A. In Vancouver.

Q. When did you join the U. B. R. E.?—A. In June, 1902.

Q. Were you an officer of the Brotherhood ?—A. Not at that time. I was a member of the first adjustment, as they called it.

Q. As a member of the committee you were brought into contact with the officers of the C. P. R. ?—A. Yes.

Q. When ?—A. In January of the present year.

Q. Please relate the circumstances that brought you there ?—A. The adjustment committee was formed to appear before the general officers of the company with regard to a case of two clerks.

Q. What were their names ?—A. Mr. Halton and Miss Code.

Q. Whom did you see on behalf of them ?—A. Mr. Marpole.

Q. How many members were there on that committee ?—A. Sixteen of them.

Q. You made a demand on Mr. Marpole at that time ?—A. Yes.

Q. Was it in writing ?—A. Yes, in writing.

Q. I would ask my learned friend to produce the demand.

(Produced Exhibit 38.)

Q. There was another matter brought up by this committee as to another employee besides these two mentioned, was there not?—A. There was some reference made to it, but I think it was not expected to have any adjustment with regard to that matter at the time.

Q. Now, as the result of this interview what occurred ?—A. Well, the demands we made were acceded to.

Q. And I see by the letter from Mr. Marpole that it is stated that he has inquired into the matter, and on hearing the explanation of Mr. Halton, he is reinstated ?—A. Yes.

Q. So doubtless there was no opposition at that time to an inquiry being made into Mr. Halton's case; the inquiry was made and he was reinstated ?—A. Yes, that is correct.

Q. Did anything happen to you as a consequence of this—of your acting on this committee ?—A. Nothing directly at that time.

Q. Anything directly or indirectly subsequently ?—A. I had reason to think so.

Q. Just explain ?—A. Well, on February 25, a message was received by my chief here from the head of our department in Montreal, to send me east, and the statement was made that it would be a permanent position.

Q. Might I ask my learned friend for the production of that telegram; I don't see that it is produced.

Mr. DAVIS.—Look among the papers.

Mr. BIRD.—They are not produced in your documents.

By His Lordship :

Q. You say there was a telegram sent from Montreal to your chief officer here ?—A. Yes.

Q. You saw the telegram ?—A. Yes, I asked to see it.

Q. Did you see it ?—A. I did see it.

Q. Well, give the contents of it ?—A. As far as my memory serves me it read like this: 'Send Wilson east at once. Have position for him here. Will advise you later reasons for change.' That is about the way it read.

By Mr. Bird :

Q. How soon did you leave Vancouver ?—A. About two and a half hours after the message was received.

Q. Was that at the request of the company that you should leave on that notice ?—A. It was insisted upon.

By His Lordship :

Q. Who insisted on it ?—A. My chief officer, Mr. Miller.

By Mr. Bird :

Q. This was February 25, the strike was declared on the 27th ?—A. So I believe.

By His Lordship :

Q. What was your answer to Miller's demand that you go east?—A. I asked for at least a day's notice in order to make some preparation. I understood the situation was to be permanent, and required me to sever connection here altogether.

Q. Are you a married man?—A. No.

Q. How long did you want?—A. One day, the following day, Thursday; it was on Wednesday, just about two and a half hours before the train left.

Q. That was refused?—A. Yes.

By Mr. Bird :

Q. You went that same day. And upon arrival in Montreal whom did you see?—A. I reported to Mr. Cantlie according to instructions; he is superintendent of the car service.

Q. That was your department in Vancouver?—A. Yes.

Q. What did Mr. Cantlie say?—A. He told me in the first interview that we had that he was not then in a position to place me in the position he had promised, owing to recent changes in his staff, but that he expected very shortly to be able to do so. After this he discussed my connection with the U.B.R.E.

Q. Did you tell him you were a member of the U.B.R.E.?—A. No, he knew of it; he did not ask me directly if I was a member.

Q. What did he say about your connection with the U.B.R.E.?—A. He discussed it from a friendly, and as he put it, unofficial standpoint, and pointed out how my connection with that organization would be detrimental to my advancement in the service, and endeavoured to induce me to sever connection.

Q. Any promise made by you that you would ?—A. None whatever.

Q. Did you get a job with the company?—A. Not immediately; about five days from the first interview, five or six days.

Q. Did you have any further interview with Mr. Cantlie?—A. I had every day following; I think, until he left for England, practically going over the same ground.

Q. Of advising you to leave the U.B.R.E.?—A. Exactly.

Q. Did you get to work at Montreal at all?—A. Yes, in the car accountant's department.

Q. Under whom?—A. Mr. Gascoygne.

Q. Prior to this time before you went to work, did you see anything about the strike having occurred in Vancouver?—A. Yes, I saw different reports.

Q. Did you see any particular report in any of the Montreal papers. Have you got any clippings from any Montreal papers in your possession?—A. I have one.

(Witness produces clipping from Montreal 'Daily Star' of March 18. Exhibit 39.)

Q. This is a reported interview in the Montreal 'Star':

(Exhibit 39.)

'C.P.R. STRIKERS RETURNING TO WORK.

'The strike on the Canadian Pacific steamer *Charmer*, plying between Vancouver and Victoria, is not considered serious by the officials here. It seems that some few firemen and deckhands, five or six, left the ship at Vancouver with a view of preventing her sailing. These men, says an official, have no grievance whatever against the company, and simply refused to work, to show their sympathy with the clerks whom the company refuse to reinstate. However, their desire did not succeed, as the *Charmer* not only left Vancouver on time, but also reached Victoria on time. These men made no demand for any increase of their wages; they are now earning $60 a month and the cost of board, and are simply acting in this manner to endeavour to compel the company to recognize the union. Mr. Estes, president of the new organization known as the United Brotherhood of Railway Employees, is back of the whole thing, but will not succeed any better in the future than he has in the past. The service has not been greatly affected so far. Many of the strikers are returning to work, and many who wish to return are being refused re-employment.'

'CLERKS DISMISSED BY CANADIAN PACIFIC.

'A sensation was caused on Monday by the dismissal of eight clerks in the department of the auditor of statistics of the Canadian Pacific Railway at Windsor Street Station, and two in the office of superintendent of car service. These gentlemen say that the reason the company gave for discharging them was that the staff had to be reduced, but they claim that the real reason is because they had become members of a union of railroad employees.'

'Mr. A. A. Goodchild, auditor of statistics, said to-day: There is no foundation for the statement that these men were discharged because they belonged to the union. I was instructed to reduce my staff, and did it in the best interests of the company. There is no rule forbidding a clerk belonging to the union.'

Q. Were there other members of the U.B.R.E. at Montreal at this time—members of Division 81 from Vancouver?—A. At the time that appeared yes, one other, Mr. Dick.

Q. Did you make any reply, or publish anything by reason of this statement in the paper?—A. Yes.

Q. Have you a copy of it?—A. I have.

(Copy of letter published in Montreal 'Witness,' signed by H. Wilson and James Dick, put in and marked Exhibit 40.)

(Exhibit 40 read.)

THE VANCOUVER STRIKE.

The following letter explains itself:

To the Editor of the 'Witness':

SIR,—In the issue of the Daily 'Star' on Wednesday March 16, some prominence was given to a report purporting to come from Vancouver, stating that a number of the striking members of the United Brotherhood of Railway Employees were returning to work at thae place, also that a number of others desirous of doing so, could not, from the fact that the railway company refused them re-employment.

We are glad to be able to state that there is no truth whatever in the report quoted, and that not a single item enumerated has any foundation in fact. Emphatic denial has been received from the executive committee of the Brotherhood in Vancouver, and it is entirely with a view of removing any false impression created by this report at the present status of the strike, that we desire you to give publicity to this denial.

Trusting that you will find space for this, and thanking you in anticipation, we are, sir, yours, &c.,

(Sgd.) H. WILSON,
Cert. 87, Vancouver Division, No. 81, U.B.R.E.
(Sgd.) JAMES DICK,
Cert. 22, Vancouver Division, No. 81, U.B.R.E.

By His Lordship:

Q. What office do you hold, if any, in the union?—A. None whatever.

By Mr. Bird:

Q. You had received communication from Division 81 to the effect that these statements were wrong?—A. Yes, sir.

Q. And that document written by you—did you believe what you state there?—A. Yes.

Q. And the reports from this division corroborated your belief?—A. They did.

Q. That in fact there were no men being refused employment who desired to return from the U.B.R.E.?—A. That is what I believe

Q. And that they were not going back in the wholesale manner indicated?—A. No.

Q. What took place on the morning after that appeared?—A. I was told that I was dismissed from the employment of Mr. Gascoygne, on March 23.

By His Lordship:

Q. The day after the appearance of the letter?—A. No, two days after. That appeared on Saturday, March 21. I was told on the Monday morning following that I was discharged.

Q. Did you have to go immediately?—A. I was discharged at noon on that date.

Q. And what cause was assigned for your dismissal?—A. Publishing that denial.

Q. Did you receive any pay for your time——?—A. Up to that time, and two weeks in lieu of notice.

Q. Did you receive any voucher?—A. It was paid by time check.

Mr. BIRD.—I ask for the production of Mr. Wilson's time check.

HIS LORDSHIP.—Does anything turn on that?

Mr. BIRD.—I think so; I would ask for the time check.

HARRY WILSON—Vancouver, June 5.

By His Lordship :

Q. Did it make any statement of the reason?—A. 'Dismissed for publishing false and lying reports detrimental to the company's interest.' As nearly as I can remember those are the words.

By Mr. Bird :

Q. During any interview with Mr. Gascoygne, did he give you any idea why you had been brought there?—A. Yes, he said I had been brought there to be out of the way, to be kept out of trouble.

Q. And did he say that there was a permanent position such as you had been promised when you left Vancouver?—A. He doubted very much if there was.

Q. While you were working down there was there anything to indicate that there was a job there for you?—A. No.

Q. Did you ever get a clearance from the company, or have you one?—A. I had at that time; it is a certificate of service.

Q. In accordance with this agreement that is supposed to exist, a man could not get on another railroad unless he produced a clearance from the last company he worked for; so this clearance that you asked for was for the purpose of getting work in another company?—A. I presume so.

(Clearance produced and put in as Exhibit 41.)

Q. The reason assigned is 'Dismissed for publishing without the authority of the company, incorrect statements damaging to their interest'?

His Lordship.—That is the certificate of character he got!

Mr. Bird.—Might I ask that this certificate be handed out, and not filed—it might be necessary to get employment!

By His Lordship :

Q. Did you object to that being inserted?—A. No, I asked particularly for the clearance.

By Mr. Bird :

Q. Did you object to that reason being assigned?—A. Certainly, I objected to the officer who gave me the clearance, Mr. Gascoygne.

Q. Did you attempt to get anything?—A. I attempted to get an interview with Mr. McNichol and failed.

Q. What did Gascoygne say?—A. He told me he had instructions, in case I wanted a clearance, to give that reason; although he told me personally he did not like to put that on the clearance, he had instructions to do so.

Q. Have you tried to get employment on any other railroad since?—A. No.

Q. Have you ever been at work on other railways?—A. Yes, four years on the Grand Trunk system, previous to coming to Vancouver.

Q. Did you get a clearance from the Grand Trunk?—A. No, they did not issue clearances.

By Mr. Bird :

Q. That is a recent scheme of the companies—this issuing clearances?—A. Yes, that form particularly. It came into effect the latter part of 1901, I think.

Q. Prior to your joining this union, were the clerks in this western division suffering any grievances? Take, for instance, as to hours?—A. They had a good deal of overtime to do, and I believe they considered that a grievance.

Mr. Davis.—I understand my learned friend does not allege any grievance whatever except the recognition of the union.

His Lordship.—We are not going to confine either of you to what appears in the statements.

Mr. DAVIS.—It is rather a wide inquiry when they allege there were certain grievances of the company which in any way contributed to the strike, when they state they were not striking on account of grievances and had no grievances that they wished to discuss.

HIS LORDSHIP.—I think, Mr. Bird, you should confine yourself, as far as possible, to the grievances you have stated. It means of course that the other side would have time to answer.

Mr. BIRD.—I desire to do everything fairly, and to give notice of every intended objection to the service of the company being brought out.

HIS LORDSHIP.—The real issue is the recognition of the body.

Mr. BIRD.—Yes, and the necessity for unions on the C.P.R. These men are fighting for the life of their union. They say it is absolutely essential to their welfare on the road. They say that sometimes they have to work whole nights and sometimes have to go without meals absolutely by the command of their superior officers, and that they have never received one dollar for the time they have worked.

Mr. DAVIS.—These statements are absolutely incorrect, as far as our instructions go. Let him give instances, and we will be prepared to offer witnesses on the subject.

Mr. BIRD.—I will give written instances and prepare particulars.

By Mr. Rowe :

Q. Did you get in Montreal the same rate of wages as in Vancouver?—A. Exactly the same.

HIS LORDSHIP.—We had better let this witness stand down; we want to go on with another witness.

Mr. BIRD.—I have asked for the appearance book; that will give particulars of overtime; all the company have to do is look in that appearance book, and they will find particulars.

Mr. DAVIS.—If you want the appearance book, we will agree to produce it, as I have said, at any reasonable time, for inspection, but I believe it is in use.

Mr. BIRD.—I understand that this particular book has not been in use for twelve months.

HIS LORDSHIP.—You had better utilize this recess to go down and look at the books, as we have to examine a witness from Nanaimo.

Mr. DAVIS.—We will produce it after lunch.

(Witness stands down.)

VANCOUVER, June 5, 1903.

THOMAS J. SHENTON, sworn.

By His Lordship :

Q. Please identify and describe these documents, just briefly what they are?—A. (Exhibit 42.) This is a document in connection with a committee appointed by our union for the purpose of looking into the merits of the different organizations. (Exhibit 43.) This is a report of the joint board, Cumberland, Nanaimo and Ladysmith, that met in Nanaimo on April 26.

Q. That is the meeting which has been referred to so much in your evidence?—A. Yes, and the names of the committee are there. (Exhibit 44.) This is dated April 29. It embodies a report of the three delegates chosen from that joint board to

wait upon the government and ask their assistance in regard to trying to arrange a settlement at Ladysmith. (Exhibit 45.) This is a letter from Mr. Estes, received at our lodge, dated March 1, 1903.

Q. Now, just describe this bundle. I understand, Mr. Shenton, that bundle contains all the documents in your possession in any way relating to the matters before this Commission ?—A. (Exhibit 46.) This bundle contains all the documents relating to all the matters being investigated by the Commission—the whole of them.

His Lordship.—These will be returned to you after the Commission is through with them.

Q. Would you like to make any statement regarding anything you have said before ?—A. I understand that during my replies, I think to Mr. Bodwell on the last occasion—on Wednesday—I misstated—or else I did not hear the question correctly—it was something regarding my mission when I went to Cumberland, relating to the arrangement of things necessary for the Commission while there, and I think, and I am told that I replied—'No, I did not do anything when I went there.' I wish to right that. I did not hear the question; I must have replied in connection with some previous question. I did not remember the question, and I wish to state in that connection that that was one—I was not authorized by Mr. Baker who sent me up there for that work.

Q. You mean to say you were not authorized to go and organize the Chinese ?—A. No, not authorized to get up there case for the Commission, to make any arrangements regarding the Commission going there. But I was authorized in connection with the joint board, and in connection with our own lodge, to make a statement to the effect of what had been done between the other two lodges—Nanaimo and Ladysmith—to the effect that we had arranged certain conditions and also that we had decided to employ counsel, and ask them to fall in line. That is what I wish to say.

By Mr. Rowe :

Q. What is the significance of the fact that Mr. Richards before the Commission stated you were not authorized by the local union to do anything ?—A. I conclude that that is from the treatment I received there. The significance lies in the fact that they disputed my authority, simply because I had no written credentials from Mr. Baker. They refused to admit me to that meeting as the proper representative of Mr. Baker until a late hour in the evening, and I had not time to get any word.

By Mr. Bodwell :

Q. What date were you there, Mr. Shenton ?—A. I think I started for there about the 12th, I think.

By Mr. Rowe :

Q. On the 12th Mr. Baker writes—'Owing to circumstances I could not come to Cumberland as I wired you I would, but got Brother Shenton to go instead—'?—A. Yes.

Q. 'I considered this necessary for the reason that all these men were too new in the organization to be well enough posted to defend it against the bombardment they were preparing for us.' That has reference to the sittings of the Commission ?—A. I suppose so.

By His Lordship :

Q. Who are meant by 'they'?—A. I cannot say, your Lordship, who is referred to by 'they'.

Q. Do you gather, from what you now know of all that has taken place, that you have been treated with full confidence with which a labour leader should have been treated by the officers of the Federation ?—A. No, I have not; far from it.

THOMAS J. SHENTON—Vancouver, June 5.

By Mr. Rowe:

Q. That is true also of your treatment in Cumberland?—A. Yes.

Q. How do you account for your treatment in Cumberland?—A. Possibly I may have, in some matters, felt disposed to differ with them.

Q. What matters?—A. Well, one matter was relating to the—he, Mr. Baker, for instance, knew very well in connection with the men up there, about the time that the trouble was on—how much I pressed that it should be the last thing we should do to call the men out up there. He was well aware that I was disposed to feel that only under extreme circumstances should we call the men out.

Q. Do you think that was in reality a sympathetic strike?—A. Well, I don't think so. I don't think that the lodges understood it so. I don't see how they really could understand it so. At least our lodge, as far as I know, and all the men in connection with our lodge, have not understood anything of the kind.

By His Lordship:

Q. You understood that the strike was caused by laying off the officers of the union—the strike at Cumberland?—A. Yes, it is proposed that that is the reason.

Q. At all events, you had no idea that the strike was being engineered as a sympathetic strike?—A. Yes.

By Mr. Rowe:

Q. Do you think now that it was so engineered?—A. I am rather afraid it was. That is the reason I feel that my position has been so awkward. Possibly Mr. Bodwell has not been able to understand, thinking that I knew these things were so, why I did not know.

Q. So you think you were kept in the dark regarding the purpose of the Western Federation as to calling out the Cumberland men, and as to the organization of the Chinese and Japanese?—A. Yes, certainly.

Q. And that you would have objected to both of these things had you known?—A. Yes, certainly.

By His Lordship:

Q. You see, I suppose, Mr. Shenton, that this telegram was shown to some of your leaders but not to you?—A. I realize that.

Q. Because it was given to Barber and taken up to Cumberland?—A. That is the most convincing thing I have.

Q. And you were the secretary and the most active officer of the Nanaimo union, and if the matter was being managed correctly you are one of the men who should have been taken into his confidence?—A. Yes, there is no doubt about that. I may say further, that the same feeling prevails among our own men regarding these matters which have developed before this Commission. We are opposed in every regard to being practically deceived.

Q. The men should have a meeting shortly to consider their decision with reference to the Federation?—A. Possibly that may be one of the questions taken up. It has a special meeting Saturday.

Q. What was the object of calling it?—A. The object was to hear, of course, the reply to a telegram asking the Federation what they were going to do in this crisis, and that is one of the questions to be taken up. We have also the matter of the agreement with the company. That is now about expired, and that is another matter.

By Mr. Rowe:

Q. In your conversation with Mr. Hall at Cumberland, did he say to you that he had a conversation with Mr. Baker?—A. Not that I remember.

Q. You don't know whether he had a conversation with Mr. Baker when he was in Cumberland?—A. No.

THOMAS J. SHENTON—Vancouver, June 5.

Q. Did Mr. Baker mention Mr. Hall's name to you when he was sending you to Cumberland ?—A. The way I came to know Mr. Hall was through a recommendation from my friend Wilkinson up there. I went down to see Mr. Hall in a friendly way. They said they went to see him and I was persuaded to go down.

Q. Did Mr. Wilkinson say to you that Mr. Hall had an idea about Chinese union ?—A. No.

Q. But he said, generally speaking, that Mr. Hall was friendly to labour, and advised you to have a conversation with him ?—A. Yes.

Q. When you went there had you any idea of taking up the question of unionizing the Chinese ?—A. No, I was not aware at that time that he was interested in the matter.

Q. That had nothing to do with your visit to Cumberland ?—A. Nothing whatever.

Q. Were there any other reasons, a difference of opinion between the Cumberland men and yourself that would account for their treatment of you as a representative of Mr. Baker ?—A. Yes, a difference of opinion regarding the present system of government; its powers and what it might do for us, and especially referring to the delegation that I spoke of that went down to Victoria, as authorized by that joint board, to approach the government to use their power to get an arrangement at Ladysmith.

Q. Was there a disagreement on that delegation ?—A. Well, yes, on the delegation, certainly. There were three of us, two against one.

Q. Did these men who objected to you at Cumberland, hold different views from yourself as to whether unions should be a political power or not ?—A. Yes.

Q. And do you think their objection to you was because you were not a socialist?—A. I believe so.

By His Lordship:

Q. There is a considerable struggle going on internally in these unions as to this question of socialism?—A. Yes, a serious struggle.

Q. It is coming up all the time in discussions?—A. Yes.

Q. In fact it looks as if the struggle was now between legitimate trade unionism and revolutionary socialism?—A. Yes.

By Mr. Rowe:

Q. Did it ever occur to you that the action at Ladysmith was taken in order to help the strike of the U.B.R.E. at Vancouver—I mean previous to the meetings of this Commission ?—A. I could not say that I thought of it at all. Of course it may have been, but I don't think so, for the simple reason that had we known that we would have opposed it. I speak for the union I represent.

By His Lordship:

Q. They don't approve of that kind of thing ?—A. No.

By Mr. Rowe:

Q. You had several conversations with Ladysmith men previous to the unionizing of Ladysmith ?—A. Yes.

Q. Did any of them suggest that this would be the proper time to take action in view of conditions at Vancouver?—A. No, I cannot say that I heard any one say that.

By His Lordship:

Q. Then if you were satisfied that the idea of the leaders at Denver was to engineer these strikes as sympathetic strikes to assist the U.B.R.E. strike, you would have set your face against it ?—A. Certainly.

Q. And the majority of the union would have opposed it ?—A. Certainly.

Q. You can see how the Commission was regarding some of your evidence as suspicious; it was natural that holding Mr. Baker's confidence as you did, that he should have take you completely into it?—A. Yes, I realize that.

By Mr. Rowe :

Q. Was it ever proposed to the Nanaimo union that there should be a strike in sympathy with Ladysmith ?—A. I could not say officially; it is only by hearsay. I heard it was proposed in Ladysmith by some individual there that Nanaimo should go out in sympathy.

Q. Did Nanaimo ever consider that question as a union ?—A. No, it never would have got consideration.

Q. Are the socialists, so-called, in the majority in your union?—A. There may be 50 out of 850.

Q. In reference to the Moyer telegram of March 6, concerning the bringing of coal to Vancouver, that was put before the lodge ?—A. Yes.

Q. What action was taken by the lodge officially in reference to it ?—A. The action that was taken was to the effect of rendering any assistance that we could, in a legal way, of course.

Q. How could you render assistance ?—A. By the method carried out that was stated and reported to the meeting. We approached the management and inquired whether there was coal going from that point.

Q. You were instructed by the union to approach the management in that manner ?—A. Yes.

Q. Supposing you had learned that the management were furnishing coal to the C.P.R., would the matter have been further admitted in the union then ?—A. Well, there might have been action taken in regard to asking them to desist.

Q. You have asked the company to desist ?—A. Yes, I think so.

By His Lordship :

Q. And if they had refused ?—A. Well, we would have considered we had gone as far as we could.

Q. You would have been really subjecting yourself to an unnecessary injury, without doing the other people much good ?—A. In the agreement that we have with our company the paramount issue would be whether this would affect the industry that was employing our men that was not reasonable; that would be the question.

By Mr. Rowe :

Q. Would you consider your obligation under the union contract such as could not be broken merely by reason of the fact that your employers were supplying coal to the C.P.R. ?—A. I should not think so. Our agreement with the company we would regard as being binding thoroughly.

Q. And you would not think of breaking a contract of that kind simply because your employees were sending coal to the C.P.R. ?—A. No.

Q. Is there anything further you would like to say, Mr. Shenton ?—A. I don't know that there is any further statement to make. I might say before this Commission that I saw a report in the 'Colonist,' I think of yesterday, regarding these telegrams that is not hardly right. I would like to have it corrected.

By His Lordship :

Q. Which telegrams ?—A. Regarding both these telegrams that were turned in here.

This is the article :—

> 'VANCOUVER, June 3.—At the sittings of the Labour Commission here to-day, Shenton, secretary of the Nanaimo union of the Western Federation, was further examined. In the course of his evidence he produced a telegram

from Moyer, president of the Western Federation at Denver, dated March 6, asking Nanaimo to do all they could to prevent the C.P.R. from getting coal on Vancouver Island.'

The latter clause of that is not correct; it was to prevent coal coming from Nanaimo, not Vancouver Island. It goes on further :—

'It was also shown that on March 9 that Shenton wired for Baker to organize at Ladysmith, and the strike there was immediately precipitated.'

I disagree with the language that 'Shenton wired.' The only part I took in that was to write the telegram out.

Q. I suppose it was a natural desire on your part to see Ladysmith and Cumberland organized from the standpoint of a union man, but that you did not take any part in it for the purpose of engineering a sympathetic strike ?—A. Yes, that is my position.

By Mr. Rowe :

Q. I understood you to say, Mr. Shenton, that you did not take any active part in the organization at Ladysmith at any time or any place ?—A. No.

Q. You told us when Mr. Baker was there Mr. Mottishaw was there to meet him. Had they met previous to that time ?—A. Yes, many a time.

Q. When ?—A. They met a number of times during the time that Mr. Baker was there, in February.

Q. Do you know whether they had discussed the question of organizing Ladysmith then ?—A. Yes, I believe they must have, but I have never heard much of the discussion itself.

Q. How do you account for the fact that Mr. Baker left the strike at Fernie, which was in operation at the time your telegram was received, and came to Nanaimo, without having any idea of what he was wanted for ? There was a strike at Fernie, which he was managing, and you sent him a telegram saying he was urgently required at Nanaimo, without any further explanation. Is it not strange that he should leave under those circumstances ? Had there been any previous correspondence ?—A. I could not say.

By Mr. Bodwell:

Q. He probably knew, from what might have been between Mottishaw and Baker, without your knowing ?—A. I would not know of the arrangement there might be between them at all.

By Mr. Rowe:

Q. Did you know where Mr. Baker was, when you telegraphed ?—A. The telegram went to Slocan, and was forwarded I suppose; we did not know.

By Mr. Bodwell:

Q. What I cannot understand is, what reason did Mottishaw give you for asking you to send the telegram ?—A. The only reason I have already expressed. He is a poor writer, and he asked me to write it. I asked him to write it, and he said he was a poor writer and he would rather I fixed it up.

Q. It might come out afterwards that he had been the one to get Baker here ?—A. There might be something in that.

By Mr. Rowe:

Q. You acted merely as a friend of Mr. Mottishaw ?—A. Yes; I never asked any question. I know, from reports that had passed, that it was proposed to send for Baker, and he dropped into town and asked me to assist him. He asked me if I would do that work for him.

Mr. BODWELL.—He and Mr. Baker must have had an understanding, because Baker came immediately.

By His Lordship:

Q. I think you must feel gratified, Mr. Shenton, that you have had an opportunity of setting yourself right before the public?—A. Yes, I did not do justice to myself the last time I was here. The feeling prevailed, I felt, that there was some connection between these things.

Mr. BODWELL.—I hope Mr. Shenton will understand that I withdraw any suggestion contained in any previous questions of mine, as to the effect of his not giving truthful evidence.

HIS LORDSHIP.—That will do, Mr. Shenton. You will have the papers back when the Commission is through with them.

Mr. BIRD.—I would ask the Commission to have inserted, as paragraph 5a, a memorandum, a copy of which I have handed in, for the purpose of covering the points raised just before the adjournment.

(Statement handed in—5a—as appendix to statement already put in.)

HIS LORDSHIP.—That will be added.

Mr. BIRD.—I just learn that instead of 9 o'clock, as mentioned in the statement, it should be 8.30 in the morning.

HARRY WILSON, recalled.

Mr. BIRD.—I have just been consulting my learned friends and they desire that I should recall this witness as to the question of overtime, furnishing particulars of which I expect to be able to do by to-morrow morning. We are working at it.

By Mr. Bodwell:

Q. You understand there is an arrangement between the different railway companies by which they will not receive a man discharged for cause?—A. I understand that.

Q. And that when a man is dismissed a clearance is given him containing the cause of dismissal, all over the railway systems?—A. Yes.

Q. Where did you get that opinion?—A. It is just a matter of general knowledge—the fact that I was given a clearance.

Q. The fact of the clearance itself does not prove anything. Where did you get the opinion that this arrangement exists between the different railway companies? What authority have you for that belief?—A. I have no special authority, except the fact that I got a clearance of that nature, and I have a general understanding.

Q. What is the general understanding founded on? Do you know of any fact or circumstances which justifies that general understanding?—A. Yes; the fact that a clerk dismissed from the C. P. R. employ, a member of this Brotherhood applied for a position in Seattle on the Northern Pacific, and I believe was turned down for that reason.

Q. What was the clerk's name, and where did he come from?—A. His name is—I cannot recollect it.

Q. When did this happen?—A. I think about three weeks ago.

Q. And they asked for his clearance from the C. P. R.?—A. They did.

Q. Who told you that?—A. A friend of the gentleman in question.

Q. Does the man who told you live in Vancouver?—A. Yes.

Q. What is his name?—A. I could not state his name; I don't know him intimately; he told me he was a friend.

Q. You didn't ask for his name?—A. I had no particular curiosity.

Q. Do you know the man to see him?—A. No, I don't.

Q. Tell me how he came to give you this opinion?—A. I met him here casually and asked him, as I understood he was a friend of this gentleman.

Q. You must be able to tell me the name of the man he was the friend of?—A. I don't know the gentleman.

Q. How long ago did you have a conversation with his friend?—A. It would be less than three weeks ago.

Q. And you have forgotten since that time the name of the man about whom you were asking the information?—A. I would know it if I heard it; I cannot recollect it.

Q. You knew it three weeks ago, and don't know it to-day?—A. Yes, that is so.

Q. Did you have any memorandum?—A. No.

Q. Where did you get the information about the man not being able to get employment, because you knew it when you spoke to the friend?—A. No, I didn't know. I asked him how this gentleman was progressing, and he told me what I have said.

Q. I understand you to say you went to this friend and that you understood he knew the circumstances why this man did not get employment?—A. No, I simply asked about the man because he was a member of the organization.

Q. Are you an officer of the organization?—A. No.

Q. No duty to look after these?—A. No, not necessarily.

Q. So your interest must have been in the man as a friend?—A. Yes.

Q. How long had you known him?—A. Possibly since I joined the organization.

Q. Was he working for the C. P. R.?—A. Yes, in the stores department, I believe.

Q. Where did you meet him—in the lodge?—A. Yes; I did not meet him very often.

Q. What was there about the man that induced you to take an interest in him?—A. Nothing particular.

Q. Why did you ask about his welfare?—A. I don't know; I knew he had gone to Seattle, and I liked to know what the chances were and how he had succeeded.

Q. How did you know he had gone to Seattle?—A. I heard it casually.

Q. Who told you?—A. I cannot tell who told me.

Q. Did that person who told you he had gone to Seattle know his name?—A. Yes, he mentioned the name, but I have forgotten it.

Q. Who was the man who told you his name?—A. Well, as far as that goes, there were quite a number.

By His Lordship :

Q. Is this a circumstance that was well known to the Brotherhood here?—A. I think it is.

By Mr. Bird :

Q. I could give the name——A. Harriday is the man I refer to.

By Mr. Bodwell :

Q. Harriday is the man who could not get employment at Seattle?—A. Yes.

Q. Had he no clearance?—A. I think not. He gave references as to previous employment, I believe; but he did not have a clearance.

Q. Well, if there is this arrangement between the different railways, how do you account for this man having no clearance?—A. The fact that he was out on strike.

Q. Had he asked for it?—A. He would not get it if he did ask for it.

Q. Why would they not give him a clearance?—A. Well, I can give no reason for that.

HARRY WILSON—Vancouver, June 5.

Q. Can you give me any reason why a clearance should be refused this man, because a clearance is simply a statement of why he left the employment ?—A. Yes, that is so.

Q. Tell me any reason why they should not give a statement saying the real reason he had left ?—A. Simply from the fact that he had left on strike.

Q. Could they not give him a clearance saying that ?—A. No, I don't think so.

Q. Is not the real reason that the man who went to Seattle had no references as to previous employment ? Is that not the real reason ?—A. No, I think not. I think the real reason was that when he referred to his previous employment they asked him where he worked, and he said the Canadian Pacific Railway.

Q. And he said he was on strike ?—A. I am not sure about that

Q. He said he was a member of the U.B.R.E.?—A. I don't know that.

Q. And they refused to employ him because he was a member of the U.B.R.E., as far as your friend told you ?—A. Yes, I should think so.

Q. Assuming, for the purposes of my question, that you are perfectly right—that there is an agreement of this kind between the different roads, the railroads would expect from each other that the real reason why a man left should be stated in the clearance ?—A. Yes.

Q. And when you went to get your clearance you could not expect the railway to put any statement in except the right reason ?—A. No.

Q. Now, the real reason, as stated here, is 'Dismissed for publishing without authority incorrect statements damaging to their interests.' As a matter of fact, you were dismissed ?—A. Yes.

Q. And the reason given for your dismissal, that you had published a certain statement in the newspaper ?—A. Yes.

Q. Over your own signature, and you published it voluntarily ?—A. Yes.

Q. That statement consisted in a denial of certain other statements in the Montreal 'Star' ?—A. Yes.

Q. So the question is, whether the statements in the Montreal 'Star' were correct or not ?—A. Yes.

Q. Now, here is the item—Exhibit 39—in the Montreal 'Star' :

> 'The strike on the Canadian Pacific steamer *Charmer*, plying between Vancouver and Victoria, is not considered serious by the officials here. It seems that some few firemen and deckhands, five or six, left the ship at Vancouver with a view of preventing her sailing——'

You did not know whether that is true or not, as a matter of fact ?—A. No.

Q. 'These men,' says an official, 'have no grievance whatever against the company, and simply refused to work to show their sympathy with the clerks whom the company refused to reinstate——' Is it true to state they had no grievance—is that statement true ?—A. I cannot tell you.

Q. As a matter of fact, the Commissioners have had some evidence on that point already. We will take the next statement—

> 'However, their desire did not succeed, as the *Charmer* not only left Vancouver on time, but also reached Victoria on time. These men made no demand for any increase of their wages——'

Is that statement true ?—A. I have no means of knowing.

Q. 'They are now earning $60 a month and the cost of board, and they are simply acting in this manner to endeavour to compel the company to recognize the union——' Is that true ? Is it true that the men on the *Charmer* were acting as they did to compel the company to recognize the union ?—A. I cannot state of my own knowledge.

Q. 'Mr. Estes, president of the new organization known as the United Brotherhood of Railway Employees, is back of the whole thing.——' Is that true—that Mr. Estes is back of the whole thing ?—A. Would you mind defining 'back' ?

Q. How would you define it ? Here is the statement :

'Mr. Estes, president of the new organization known as the United Brotherhood of Railway Employees, is back of the whole thing.——'

Now, is that statement true ? It is no use to fence with the answer.—A. I would give a qualified yes to that.

Q. What qualification do you put on the word yes ?—A. That he was undoubtedly interested in such a procedure, but that he was not the instigator of the action.

Q. The man who would profit by it—the one individual who would reap material benefit from this strike—is Mr. Estes ?—A. No, I don't mean to infer that.

Q. Well, is it not true ? Mr. Estes is president of the U.B. ?—A. Yes.

Q. He wants to make that a large and powerful organization ?—A. I believe so.

Q. In order to do that, it must be recognized by the railway company ?—A. Yes, that is so.

Q. The strike here was for recognition ?—A. Yes.

Q. And the scheme was to make the Brotherhood 100,000 strong at any rate—that is right, too ?—A. Yes, they wished to do that.

Q. So that, if the organization were 100,000 strong and were recognized by the railway companies, Mr. Estes would be a very powerful man, as the head of that organization ?—A. Not necessarily.

Q. The strike here was for recognition, and nothing else ?—A. You might add to that, leave to organize.

Q. It is all included in the word recognition, and recognition of the union is a great benefit to Mr. Estes, is it not ?—A. Do you mean of material benefit ?

Q. I should think it would be very material to satisfy the ambition of an ambitious man—that is right—and the salary, too ?—A. It is hardly worth mentioning the salary.

Q. One hundred and fifty a month, though ?—A. I don't think he has drawn that.

Q. Don't you think it is a very satisfying thing to an ambitious man to have his organization recognized by an institution like the C.P.R. ?—A. Yes, I should think it would be.

Q. Can you tell me any corresponding benefit that would ensue to you as a member of that Brotherhood—by the fact of its recognition here ?—A. Well, yes, I think I could.

Q. Did you expect that it would get you greater wages than you had before ?—A. I thought it might help to that end.

Q. Are we to understand that the next step, after recognition, on the part of the organization, was to be a demand for increased pay ?—A. No, not the next step.

Q. So that was not before the Brotherhood at the time they struck ?—A. No.

Q. Well, for shorter hours ?—A. No.

Q. Well, pay for overtime ?—A. Not at that time.

Q. Did they intend to compel the C.P.R. to make any change in their discipline ?—A. I think not.

Q. Tell me what benefit there was accruing to the members of the organization from the strike here ?—A. The power and freedom to organize the entire system.

Q. Has the C.P.R. ever refused class organization among its employees ?—A. They did in the present instance.

Q. Has the C.P.R. ever refused to recognize a union formed among its different employees—class unions ?—A. Yes, the trackmen's union.

Q. Do I understand you to say that the trackmen's organization is not recognized by the C.P.R.—A. No. you don't.

Q. Under what circumstances was it that the C.P.R. refused to recognize their union ?—A. Under the circumstances that the trackmen wanted a schedule of wages.

Q. But the trackmen did'nt have a union composing the majority of their body ?—A. I think so.

HARRY WILSON, Vancouver, June 5.

Q. Well, you are mistaken. That is the only instance you know ?—A. It is only from hearsay. Take the O.R.T.—Order of Railroad Telegraphers—on this C.P.R. system.

Q. Did they have a union comprising the majority of the telegraph operators on the line ?—A. I think so.

Q. Where did you get that information ?—A. Well, from no special source.

Q. How long have you been working for the C.P.R.?—A. Seven years altogether —three continuously.

Q. At that time, did the C.P.R. refuse to recognize a union of the class to which you belonged ?—A. No.

Q. I ask you if during the period you were working for the C.P.R. they had refused to recognize a union of the class to which you belonged ?—A. Yes, just previous to the time I was dismissed—not otherwise.

Q. So you had no reason to believe that if the employees of your class desired to organize and got a majority of the members that the C.P.R. would refuse them ?—A. No, I had no reason to believe that.

Q. I am still at a loss to know what material benefit was to accrue to you from the organization of the U.B.R.E.?—A. I have told you already.

Q. Simply they sould be allowed to have that organization ?—A. Yes.

Q. And you thought that was better than any other organization ?—A. That was the only organization I could have belonged to.

Q. Was it not possible to have organized the class to which you belonged as a separate union ?—A. It might be possible.

Q. Well now, there is no use going any further with that. The statement here is that :

> 'Mr. Estes is back of the whole thing, but will not succeed any better in the future than he has in the past. The service has not been greatly affected so far——'

Is that statement true ?—A. I think not.

Q. To what extent can you tell us about the service being affected ? The statement is that the service of the C.P.R.—and I suppose it may mean service only on the steamer *Charmer*—has not been greatly affected so far. Was that statement true ? That the service had not been greatly affected up to that ?—A. No, I don't think it is. The freight service, for instance, has been affected to some extent.

Q. We have had the evidence of a merchant in Vancouver who said he did not think business was affected at all ?—A. I think he was speaking of his own business.

Q. Tell us how you think freight was delayed ?—A. The fact that freight was being delayed en route and also undelivered.

Q. What information on that point did you have when you made your statement? —A. General information—newspaper information.

Q. From what newspaper did you get the information—from the U.B.R.E. journal ?—A. No, I was not in receipt of it at that time. I think the Montreal 'Gazette' was one, the 'Herald' and some others.

Q. And you undertook to contradict this statement on what you saw in the newspapers ?—A. No, I didn't.

Q. Well, tell us what information you had to contradict that statement in the newspaper. This is what you say—Exhibit 40—

> 'We are glad to be able to state that there is no truth whatever in the report quoted, and that not a single item enumerated has any foundation in fact.'

—A. Will you repeat the report that we quoted ?

> Q. 'In the issue of the daily 'Star,' on Wednesday, March 18, some prominence was given to a report purporting to come from Vancouver, stating that a number of the striking members of the United Brotherhood were return-

ing to work at that place, also that a number of others desirous of doing so could not, from the fact that the railway company refused them re-employment.

'We are glad to be able to state that there is no truth whatever in the report quoted, and that not a single item enumerated has any foundation in fact. Emphatic denial has been received from the executive committee of the Brotherhood in Vancouver, and it is entirely with a view of removing any false impression created by this report at the present status of the strike that we desire you to give publicity to this denial.'

—A. Yes, that report that we quote.

Q. You want to limit it now to that portion of the report which related to the employees returning. Why did you write that not a single item in the report was true?—A. There is more than one item.

Q. Do you think that it was necessary to say 'not a single item' of that report?—A. Yes, that is the way it struck me at the time.

Q. Here you have a report in the Montreal 'Star.'

'Some prominence is given to a report purporting to come from Vancouver, stating that a number of the striking members of the United Brotherhood of Railway Employees were returning to work at that place, also that a number of others desirous of doing so, could not, from the fact that the railway company refused them re-employment. We are glad to be able to state that there is no truth whatever in the report quoted—'

That plainly refers to the men?—A. Yes.

Q. Why could you say that not a single item enumerated has any foundation in fact?—A. There was more than one item quoted.

Q. No, I don't think so.

Mr. ROWE.—Is that extract from the 'Star' of March 18?

Mr. BODWELL.—Yes, Wednesday, March 18.

Q. I don't think your explanation will be borne out by the document. Listen to it again——A. I have it off by heart.

Q. Do you say, when you refer to a report containing about half-a-dozen items, when you say that not a single item of that report has no foundation in fact, that you do not mean what you say?—A. No, I meant exactly what I said.

Q. Give me a reason for putting in that additional statement ?—A. The fact that it was an item to contradict. It was not intended to contradict everything in the report quoted.

Q. You won't admit it meant that not a single item had any foundation?—A. The report quoted.

Q. And you contradicted part of it expressly, and part of it generally—is that not so ?—A. No, I don't think so.

Q. Did you draw that letter up yourself?—A. I did.

Q. And settled it with the other men before you signed it?—A. Yes, he perused it.

Q. And you did not want the people in Montreal to believe that the men on the *Charmer* had not struck work for a good cause?—A. I did not want the people to believe any more than what we contradicted—the report quoted.

Q. What an unfortunate man you are, not being able to express yourself in better language?—A. It is too bad.

Q. Who asked you to put that letter in?—A. The acting agent in Vancouver at that time—Garnham.

Q. In what way did he make the request?—A. He telegraphed.

Q. Have you the telegram?—A. I have.

Q. Will you produce it?—A. Yes.

(Telegram produced and read—Exhibit 48.)

HARRY WILSON—Vancouver, June 5.

'To H. WILSON,
'76 Mackay St.

'From Vancouver, B.C., Mar. 18.

'Deny report emphatically ; all firm and fight going in our favour.

'(Sgd.) S. GARNHAM.'

Q. Did you telegraph to him?—A. Yes, for confirmation of the report.

Q. That is what you telegraphed to him?—A. No, that is the reply—in response to the telegram I sent.

Q. From whom did Mr. Garnham take his instructions?—A. I understand, from the executive committee.

Q. How is the executive committee formed? Do you know anything about that?—A. I think I could give you a little information.

Q. By the executive committee you mean the headquarters committee?—A. Yes.

Q. How was the headquarters committee formed?—A. It was formed by a member in good standing who represented different divisions or departments of the railway service—a man from each department, say—representing each individual department.

Q. Were there not on that headquarters committee representatives from the other striking unions?—A. Yes.

Q. Do you know how many compose the headquarters committee?—A. I could not tell you.

Q. Can you tell me what proportion the U.B.R.E. had, as compared with the other unions? How many came from the Brotherhood on that headquarters committee?—A. I am not certain, but I think two.

Q. How many from the Longshoremen's?—A. Only one.

Q. How many from the Steamship's Union?—A. One, I think.

Q. And those were all the unions represented, were they not?—A. No, I think not.

By Mr. Rowe:

Q. The Teamsters' Union—one from that?—A. I believe so.

By His Lordship:

Q. Two from the Brotherhood, one from each of the others acted on the committee?—A. I believe so.

By Mr. Bodwell:

Q. Who was president of the committee?—A. The chairman would be—I am not certain who was acting at that time; I was not here.

Mr. BODWELL.—Mr. Bird says these numbers are not correct. We will have to get that from somebody else. I won't take any time over that.

Mr. BIRD.—I just produce to my learned friend a telegram which I asked him to produce this morning. It is the original, which this witness had in his possession and handed to me.

HIS LORDSHIP.—The theory is, Mr. Bird, that you have no papers—that they are all in the possession of the Commission.

Mr. BIRD.—Well, all in the possession of the executive have been before the Commission, but this witness had this in his pocket, and handed it to me to hand to the Commissioners, and that my learned friend might have the benefit of the cross-examiation.

(Exhibit 47.)

By Mr. Bodwell:

Q. Now, you say you were told after you got to Montreal that the reason you were brought there was to keep you out of trouble?—A. One of the officials said that to me.

Q. You left here on the 25th?—A. Yes.

Q. The strike took place on the 27th?—A. So I believe.

Q. So, if you had stayed here until the 27th, you would have been out on strike?—A. Very likely.

Q. Or else in trouble with the union?—A. Naturally.

Q. So you would have been in trouble either way?—A. I suppose so.

Q. Now, you don't want—seriously—the Commissioners to believe that it was a hardship to ask you to leave on two hours' notice?—A. Yes, it was, for the reason that I was told, and fully believed at the time, that I was leaving here for good; and you can understand that after three years' connection with this place I would have various things to attend to. Two hours is a short time.

Q. Yes, but the service requires it?—A. Well, they usually give him a little longer than that.

Q. Well, what was in that telegram that you spoke of this morning?—A. As nearly as I can remember, it read: 'Send Wilson east at once; have permanent position here for him; will write you reasons for change——' something to that effect.

Q. What makes you think it said they would have a permanent position; what put that in your mind?—A. Well, if the message didn't state it, the chief did.

Q. The man who told you when you got to Montreal?—A. Yes, and here before I left.

Q. This is the telegram, is it not (exhibiting document)?—A. Yes, that is it.

Q. There is nothing there about 'reasons later' or 'permanent position'?—A. Permanent is not mentioned, nor reasons.

> Q. 'Owing to change in staff I have position here for Wilson. Would like you to send him east at once. Will send good man Thursday to replace. Answer.'

That is the telegram?—A. Yes.

Q. Have you reason to believe that you would not have a permanent position if you had kept out of the papers?—A. Only the statement of the official of the company.

Q. Here are the facts—you were sent for to go to Montreal?—A. Yes.

Q. You arrived there and reported to the proper officer. Who was the man who spoke about the Brotherhood?—A. Mr. Cantlie.

Q. He talked about that in a friendly manner?—A. Yes.

Q. He said it was in your interest?—A. Yes.

Q. But he didn't say that they would not employ you?—A. No.

Q. And as a matter of fact, although this conversation was going on over several days they did employ you—gave you a position?—A. They gave me no position—they gave me work.

Q. Within five days after your arrival?—A. Yes.

Q. And you were paid for the five days while you were there and doing nothing?—A. Yes.

Q. And you were charged nothing to go to Montreal?—A. No.

Q. So the position is they sent for you to go to Montreal. Mr. Cantlie was a friend of yours besides being an official of the company?—A. Well, yes, I would regard it that he had a friendly interest in my welfare. I never met him outside of the office.

Q. You did not think he intended to be unfriendly when he advised you to go out of the Brotherhood?—A. No.

Q. But nevertheless you were taken into service and no conditions made that you should leave the Brotherhood?—A. No, nothing stipulated.

Q. So your position was as good, as far as salary was concerned, as the one you left?—A. Yes.

HARRY WILSON—Vancouver, June 5.

Q. Would not the same money be worth more in the east than in Vancouver?—A. There is very little difference.

Q. The cost of living is not as much in Montreal?—A. It cost me as much.

Q. Your family and your home is in Montreal?—A. Yes.

Q. Now then, don't you think there is something in that statement that they took you away at the time that you were going to get into the strike—took you to Montreal and give you a good position?—A. They didn't give me a good position.

Q. It was as good as far as money was concerned as here, and you were living at your own home?—A. There was nothing assured. No satisfactory conclusion was arrived at. I was told to work there temporarily.

Q. Did they say temporarily?—A. They did.

Q. They said to work in that position until they could give you something better?—A. Yes, that is correct.

Q. Why did you say temporarily?—A. In that position temporarily.

Q. Yes, until a better one could be given you?—A. A better position was understood, but it was never stated that I could get it.

Q. At that time you had every reason to believe you were taken from Vancouver to Montreal to get a position there as good as the one here?—A. That is correct.

Q. And in addition to that you were with your own home?—A. Yes.

Q. And away from the influence of Estes and the combination surrounding him?—A. I don't know that Mr. Estes or a combination around him had any influence upon me.

Q. Is there not some justification for the statement that they took you away to keep you out of trouble?—A. You mean a friendly interest would justify them doing that.

Q. Do you think that under these circumstances discipline could be maintained if you, being in the position you were, rushed voluntarily into print, writing letters to the papers with reference to a strike with which you had no interest and occurring three thousand miles away?—A. No, had I had no interest.

Q. Well, we will leave that out. Don't you think the company could assume that you were employed inadvisedly?—A. No, I don't think so.

Q. And that it was detrimental to the service to permit a man to do that sort of thing?—A. No, not under the conditions.

Q. The conditions were these: that you had been removed to Montreal; that you had a good position, and that you had no reason whatever, from the company's point of view, for interfering with the position here. You are not an officer of the Brotherhood?—A. I am a member.

Q. But they had no local lodge in Montreal at that time?—A. No.

Q. And you knew the company were opposed to the Brotherhood?—A. Yes, perfectly well.

Q. And would not favour the inauguration of that society then?—A. I knew that also.

Q. Suppose you were an employer and the men treated you in the way you treated them, what do you think you would do?—A. It is very difficult to say.

Q. Of course it is, for the boot is on the other foot. Suppose you had several thousand of men among whom you had to maintain discipline—how do you think you would act?—A. I certainly would not regard it as a breach of discipline.

Q. Why?—A. For the reason that in the statement we made there was no wish or intention to bring the railway company into it. It was merely a contradiction of a press despatch.

Q. Don't you think that loyalty to the service is one part of discipline?—A. Yes, I think so.

Q. And do you think a man could be loyal to the service and do the things you were doing?—A. Yes, I think so.

Q. You don't think it was detrimental to the company's service to do what you did?—A. No, not to any extent.

Q. To any extent at all? Was it in any sense detrimental to the company's interest to do what you did?—(No answer.)

Q. Well, suppose the company honestly thought it was detrimental to their service, do you think they should retain you there?—A. Yes, I think so.

Q. I say, suppose the company thought that your action was detrimental to the service, should they keep you employed?—A. Not if it was detrimental to the service.

Q. Not if they thought it was?—A. Well, they think a good many things.

Q. Suppose the management bona fide came to the conclusion that your action was detrimental to the service, what ought they to do?—A. Well, if they came to that conclusion, I should say they took the proper course.

Q. You were taking the whole risk of the company coming to that conclusion when you wrote that letter to the paper?—A. I did not consider there was any risk attached.

Q. Should you not have considered it, because the company were the persons to judge whether it was detrimental or not—that is right?—A. Yes.

Q. No one asked you to write the letter?—A. Yes.

Q. Well, the executive here asked you. Did you think your duty to the executive was greater than that to the company?—A. I did at that time.

Q. What do you think now? You are in the company's service and the Brotherhood requires an act of you which the company may think detrimental to the service. Is your loyalty to the Brotherhood greater than your loyalty to the companay?—A. Under the same circumstances?

Q. I mean the same circumstances—that you are in the employ of the C. P. R. and that the U.B.R.E. make a demand which the company may take as detrimental to the service—to which organization are you going to be loyal?—A. Under the same circumstances I would be loyal to the organization.

Q. Then, can you object if the company turn you out of employment?—A. I can object to the manner they did it.

Q. How can you? You prefer the organization to the company and the company prefer some other man to you—what complaint have you got?—A. You are speaking very broadly when you say I prefer the organization. You mean probably with the company in their treatment of me.

Q. Well, I put you in this position: you are in the service of the C. P. R.; the U. B. R. E. make a demand on you to perform an act which the company may think detrimental to their service. You have got to choose between loyalty to the company and loyalty to the service right through?—A. Yes.

Q. Under these circumstanaces that I have stated you choose the organization?—A. Yes.

Q. Why can you complain if the company do not choose to employ you?—A. I have no complaint to make except with regard——

Q. You were a member of the Brotherhood, and the executive asked you to contradict a certain statement. They meant in the paper, didn't they?—A. They did not state, but I understood it that way.

Q. Had you no reason to believe that the company would object to your writing letters to the paper about this strike of the U. B. R. E.?—A. Well, no, I had no reason to believe they would object.

Q. Did you think they would approve of it—A. No, naturally.

Q. Then, why did you do it?—A. I didn't do it subject to their approval.

Q. You did it because you thought your first duty was to the organization, didn't you?—A. Yes, I did.

Q. Do you understand then that the oath which you take when you join the U.B.R.E. compels you to take that position when the emergency arises?—A. Well, I have not given that consideration.

HARRY WILSON—Vancouver, June 5.

Q. Do you consider that the obligation which the oath of the membership places on you compels you to take that position when the emergency arises?—A. When the emergency arises, yes.

Q. Do you think that an organization of that kind is one that should be incorporated?—A. I see no reason why it should be discouraged.

Q. You see no reason why the organization should not act in this way?—A. In emergencies, yes; but you must admit there is a certain fault in the railway company in allowing the emergency to arise.

Q. What would you call an emergency?—A. The present state of affairs—previous to the lock-out.

Q. And in such a trivial thing as that the company is to be set aside for the interests of the Brotherhood?—A. I did not consider it trivial.

Q. That a common telegraphic despatch in the newspapers should go unanswered?—Not at that time.

Q. Are we to understand that you represent, in your way of looking at things, the opinions of the majority of the persons in the U.B.R.E.?—A. I could not tell you that.

Q. Would you, for instance, say that Mr. Brooke in the same position would have done the same as you did?—A. I don't know I am sure.

Q. What do you think? Is that the principle which is inculcated in the lodge?—A. Loyalty to the organization, yes.

Q. And loyalty to the organization first, and loyalty to the employers second?—A. Well, I could not express an opinion which one comes first.

Q. But you have given us an opinion as far as you are concerned. We will leave that to be argued by somebody else. I cannot take all day, much as I would like to. Did you form one of a deputation which waited on Mr. McNicholl in April in reference to the U.B.R.E.?—A. Yes.

Q. At that time was there a local lodge in Montreal—A. No.

Q. From whom did you get your instructions to go?—A. From the executive, I believe.

Q. Did you get it by wire?—A. I didn't.

Q. Who got the instructions?—A. Our agent, Mr. Halton.

Q. Who got the instructions here?—A. He got it from here—he was in Montreal at the time.

Q. Did you see the telegram?—A. No.

Q. Can you tell the date?—A. No.

Mr. DAVIS.—We wish that produced.

Mr. BIRD.—I believe it is not in existence. It was over the C.P.R. wires.

WITNESS.—The date might be about March 11; it was signed by members of the organization.

By Mr. Bodwell:

Q. Would they act on their own initiative in demanding recognition of the Brotherhood in Montreal?—A. No.

Q. These instructions would come from the president?—A. I think so.

Q. And you know that Mr. Estes gave the order under which you ultimately acted?—A. No, I didn't know.

Q. He must have given the instructions to the executive here?—A. Very likely.

Q. The demand you made was for recognition of the order in Montreal?—A. We made the demand in Montreal.

Q. Mr. Marpole could not recognize them until they were recognized in Montreal—that was said?—A. I believe so.

Q. You were one of a committee that waited on Mr. Marpole some time about January 10?—A. I was on a committee appointed by the local lodge.

Q. With reference to the case of Mr. Halton and Miss Code?—A. That is correct.

Q. How did the case of Mr. Halton come up in the lodge. Who brought that forward?—A. If I remember correctly, he reported the action of the company to the lodge.

Q. You say Mr. Halton reported the circumstances to the lodge—to the whole body of the lodge or to the executive?—A. To the lodge, I think.

Q. What did Mr. Halton say as to the fact—what statement of fact did he give you?—A. I cannot recall the exact words he used.

Q. Did he tell you that he had requested leave to stay at home on the ground that he was sick, and had gone to Seattle without leave on his own business?—A. No, I think not.

Q. Well, he did not tell you that?—A. I don't know exactly what he stated.

Q. If he had stated that he went to his superior officer and got leave of absence on the excuse that he was sick and had used that leave of absence for the purpose of making a trip on his own business, and had been dismissed on his own account, would the lodge consider it a grievance?—A. I am not prepared to tell you the view of the lodge.

Q. What would you yourself have done? Would you think he had cause for complaint? I am asking you what your opinion would be as an individual?—A. Well, I would think that the penalty was a little too harsh for the offence.

Q. You would admit that Mr. Halton had committed an offence, and the only thing would be whether the punishment was not too great?—A. I didn't say he had committed an offence.

Q. Well, you said you thought the punishment was too great for the offence?—A. Yes.

Q. That must mean that an offence had been committed?—A. Well, that follows naturally if I had stated there was an offence committed.

Q. I ask whether you think in that case Mr. Halton would have a legitimate ground of complaint?—A. Yes, he would.

Q. And you said you thought the punishment was too great for the offence. You think he would have cause for complaint on the ground that the punishment was more than he deserved?—A. Yes.

Q. That implies that there was an offence?—A. Not necessarily.

Q. Will you say he did not commit anything for which he should have been punished at all?—A. That is my opinion.

Q. Your opinion of the duty of an employee to his employer is that he has liberty to deceive him for his own purposes?—A. I am not aware that he did deceive his employer.

Q. But the statement—?—A. You are making the statement, you know.

Q. I am putting the case that Mr. Halton went to his superior officer and said he would like to remain at home because he was sick. He got leave of absence on that ground and used that leave of absence for the purpose of going to Seattle on other business?—A. Yes.

Q. I am asking you if that is not an offence from the employer's point of view?—A. I never looked at it from the employer's point of view.

Q. Well, I want you to look at it that way. Do you consider that man was doing the right thing?—A. I don't consider the man was doing anything wrong.

Mr. ROWE.—Was the man really sick?

Mr. DAVIS.—He went to Seattle.

By Mr. Bodwell:

Q. The position is this, that he made the excuse that he was sick for the purpose of getting time to go to Seattle——

(Mr. Bird objects—overruled.)

Q. I suggest to you the case that the man, for the purpose of getting time to attend to his own affairs, goes to his employers and gets leave of absence on the ground that he is sick. I ask you if that is right, in your opinion?—A. If it were proven as an absolute fact that the circumstances were exactly as you state, I should say that it was not exactly right.

Q. Supposing, then, believing that state of facts to be true, the employer suspended the employee, do you think it is right to demand that he should be taken back without an investigation of the facts?—A. No, there should be an investigation.

Q. Then, why did you demand that Mr. Halton should be reinstated without investigation?—A. Because I did not believe the facts were as you state.

Q. You say you believe in an investigation?—A. If the facts were as you state.

Q. Why did you demand reinstatement without investigation?—A. You are asking me to state definitely what action I would take in an entirely suppositious case.

Q. Here is the demand. I put you the question why did you demand Mr. Halton's reinstatement without investigation?—A. I told you because I had reason to think the facts were not as you stated them.

Q. Do you know?—A. I had reason to believe.

Q. Then what use was there of investigating?—A. I don't know that there was any at all.

Q. How do you know there was nothing to investigate?—A. From what I know of the facts of the case.

Q. What do you know of the facts of the case? Did you have anything beyond Mr. Halton's statement?—A. No, I had nothing but my own statement.

Q. Then you did not have Mr. Halton's statement?—A. We had it in the general lodge room.

Q. You mean what he said in the lodge? What did he say in the lodge?—A. I told you before, I was not in a position to exactly state. I am not certain, as I was not at the lodge meeting.

Q. Then you had no statement at all of the facts?—A. I had the statement drawn up in the agreement, I think.

Q. In the letter to Mr. Marpole you mean, but I am asking you what evidence you had of the real facts of the case?—A. We had Mr. Halton's statement.

Q. But you had not heard it?—A. Well, it was put to the lodge.

Q. You had not heard the statement at all?—A. I am not sure that I did hear it, I don't think I did. I don't think I did, from his lips.

Q. As far as you were personally concerned you had no real knowledge of the fact?—A. Yes, I did.

Q. You had no evidence—you had no statement from anybody?—A. Yes, we had a statement. The question was discussed.

Q. But you were not there?—A. I was there when it was discussed by the committee.

Q. Then what knowledge did you have of the facts?—A. From the facts that I was present at the discussion.

Q. I suppose at that discussion they stated what the facts were?—A. Yes.

Q. Now, what did they say?—A. As nearly as I remember, the facts were that Mr. Halton had applied for leave of absence, and had, during his leave of absence, taken a trip to Seattle, and that the company had dismissed him for, as he stated, being absent without leave.

Q. There was no investigation or statement as to why or on what ground he got leave of absence?—A. I cannot remember that any definite reason was given for obtaining his leave of absence.

Q. And it never occurred to you that there might be a ground upon which he had obtained his leave of absence? Now, what did Mr. Marpole say? Did he not tell you his side of the story?—A. No, he refused to discuss it at that time. He said if we

intended to come before him as a committee of employees and so on he would discuss the question and give his reasons.

Q. Then you refused to appear before him as a committee except as a committee of the U.B.R.E.—A. Except as a committee of the employees.

Q. And you demanded from Mr. Marpole that he should reinstate Mr. Halton, and that he should do it on your request acting together and as a committee of the U.B.R.E.?—A. That is about the size of it.

Q. Without any actual reference to the condition of the affair ?—A. Oh, no.

Q. You have just said that Mr. Marpole would discuss the position if you would appear before him as a committee of your own men ?—A. Yes.

Q. So the fact is you demanded Mr. Halton's reinstatement without any discussion ?—A. No, we certainly wanted a discussion if we could get it.

Q. You demanded that he should discuss it with you as a committee of the Brotherhood ?—A. We requested that.

Q. You demanded it ?—A. Oh, I don't know.

Q. You demanded that Mr. Halton be reinstated immediately ?—A. If my memory serves me correctly there was a clause in that which allowed investigation or discussion. I think there was.

Q. Why did you say that the reasons given in the case of Mr. Halton and Miss Code were not adequate ?—A. Because we considered them in that light.

> Q. 'It is the firm belief of our membership at large that the Company's action in the cases quoted are really because the parties mentioned are members of the United Brotherhood of Railway Employees, and to prevent any further trouble in the matter we beg to request that Mr. Halton be reinstated and that Miss Code be also reinstated——'

You also requested a statement. What did you tell Mr. Marpole would be the result of refusing ?—A. I am not aware that we told him what action would be taken in the face of refusal.

Q. Didn't you give him reason to know that if that request were refused the staff would strike ?—A. We made no statement of that kind.

Q. Was Mr. Marpole willing to reinstate Mr. Halton ?—A. Evidently so.

Q. Why then did he say, you are holding a pistol at my head ?—A. I cannot tell you that he said that.

Q. Your idea would be the same way that a man would give up his purse to a highwayman ? Is that the kind of willingness ?—A. From outward appearances, yes.

Q. Don't you think that Mr. Marpole knew that if he refused the staff would strike ?—A. I cannot tell you that.

Q. How did he act. Like a man who had that impression ?—A. Yes, I should say he did.

Q. And was it not as a matter of fact decided in the lodge the night before you made that request that if the request was refused the staff would strike ?—A. No, I am not certain that it had been definitely decided.

Q. Had it not been practically decided ?—A. No, I cannot admit that.

Q. What did you intend to do after the demand ?—A. That would come up for discussion later.

Q. Will you swear that it was not decided, if not formally, practically, to strike, if Mr. Marpole refused. Was it not practically decided —A. I am trying to think. I am not certain one way or the other.

Q. Was it not understood that this was a demand, when you went there, on which you were going to take a firm stand ?—A. We certainly intended to take a firm stand.

Q. If Mr. Marpole refused, didn't you intend to strike ?—A. I cannot say that definitely.

Q. Is it not a fact that Wilkinson who didn't happen to know the result of the meeting actually—did strike that day ? He didn't know that Marpole had decided to take Halton back. Ever hear about that ?—A. No.

Q. Would you be surprised to know that that was a fact ?—A. Yes, I would be; it is the first I have heard of it.

Q. Was Wilkinson present at the interview you had with Mr. Marpole ?—A. No, I think not.

Q. What would you have done if Mr. Marpole had refused to take Halton back ?—A. I cannot tell you.

Q. Did you have any intention at the time ?—A. No, no decided intention.

Q. In what way did you know that Mr. Marpole was willing to take Halton back—you thought that ?—A. Yes.

Q. In what way did you propose to enforce your demand if Mr. Marpole refused ?—A. That would have been decided later.

Q. Do you mean to say you had not discussed it and thought of it before you went to Mr. Marpole's office ?—A. I certainly had not discussed it to any great extent.

Q. Can you tell me any way in which you could enforce your demand without a strike if it had been refused. It must have been give up or a strike ?—A. Yes. I don't know——

Q. Is it not a fact that just about that time the *Empress* steamer was due ?—A. Yes, I believe she was.

Q. And that there were other conditions in the service which practically made it impossible for Mr. Marpole to dispense with the staff ?—A. I don't know that there was.

Q. Mr. Marpole was about to go to Montreal ?—A. Yes, I heard that.

Q. Do you think he could let the whole staff go and still make this journey ?—A. I didn't think of the question at all at that time with regard to that particular point.

Q. Were any of these circumstances discussed, or some of them, before you went to Mr. Marpole's office ?—A. Yes.

Q. And they were known to the committee, some of them, at any rate ?

Q. Mr. Marpole acted as if his mind was on that same subject ?—A. Oh, well, I cannot tell you——

Q. And that he was practically forced to take Mr. Halton back against his own will ?—A. He gave us to understand that.

Q. He said, 'You are holding a pistol to my head ?'—A. Yes, words to that effect.

Q. Did you think Mr. Marpole would have acted as he did if he had not thought he had some good reason for dismissing Halton ?—A. Well, that I cannot say.

Q. I am asking you what you think. You have known Mr. Marpole for a good many years ?—A. I know very little about Mr. Marpole.

Q. You know him as head of the service ?—A. Yes.

Q. Do you think, or did you think, that Mr. Marpole would show that unwillingness to take Halton back if he had not thought there was a good reason for dispensing with his services ?—A. Yes, I would think so.

Q. Why ?—A. Well, I might have thought that he had reasons against taking him back for the reason that he was a member of the U.B.R.E.

Q. I am asking if you don't think that he thought he had a good reason ?—A. That is getting a long way off.

Q. That is an awkward way of putting it, but you know what I mean ?

By His Lordship :

Q. Did you think he was acting bona fide in the matter ?—A. Yes, I think he was.

By Mr. Bodwell :

Q. In your opinion, do you think a union has a right to force on an employer the service of a man whom he bona fide thinks it is not in his interest to employ ?—A.

Well, I should think it would be necessary for the employer to state his reasons against employing him.

Q. But you did not give him any chance ?—A. No.

Q. You said Mr. Marpole would discuss the question with you if you came to him as a committee of his men—that is right ?—A. Yes.

Q. You said you would not appear in that capacity ?—A. Yes, we told him we could not.

Q. And that he must reinstate Mr. Halton. That is written, so there is no question about that. So you told him to reinstate a man whom you say you think he bona fide objected to having. Now, do you consider that a union has the right to force upon an employer the service of a man whom he bona fide does not wish to have in his employment ?—A. If the employer could give a good reason, I think not—a satisfactory reason.

Q. Do you mean a reason that is satisfactory to the union ?—A. Certainly, in a case like that.

Q. So the only person to judge is the union—the employer has no voice at all ?—A. Oh, yes, he has.

Q. I am giving you the case of an employer who has what seems to him to be a good reason for not wishing to employ a man. You tell me he has no right to force that upon him unless it is satisfactory to the union. Therefore, it is true that the principle of unionism is that the employer must take every man into service whom the union thinks he should take ? That is right ?—A. I would not put it as broadly as that.

Q. Where are you going to draw the line ?—A. Well, you must admit that men on the union side are liable to be as fair-minded and impartial as an employer.

Q. Suppose I do admit that. You must admit that the employer is liable to be as fair-minded and impartial as the union ?—A. Yes.

Q. Yet you say his reason may not be satisfactory to the union ?—A. In a case of that kind, yes.

Q. Therefore, the employer has no voice in the matter at all ?—A. Yes, he has considerable.

Q. His voice is only this: that he can persuade the union, if he has a good reason, but he has no capacity to act as judge ?—A. Just as much as the other side.

Q. You say you have a right to force a man upon an employer, a man he does not want to employ, unless his reason satisfies the union ?—A. Yes.

Q. And he can only argue the question ?—A. Well, the union is in exactly the same position.

Q. Is that not the exact position that this union took in reference to the case of Mr. Halton ?—A. They hardly arrived at that situation.

By Mr. Rowe :

Q. That is, the union objected to the dismissal of its members for cause ?—A. Not for satisfactory cause.

Q. I thought it was only when the dismissal had some connection with the person's membership in the union. Was it on account of this man's membership in the union ?—A. Yes, that was considered a part of the reason.

By His Lordship :

Q. Why did you not give an opportunity to the management to investigate the matter ?—A. Well, the opportunity was not discussed. They arrived at a satisfactory conclusion.

Q. The trouble appears to me that the union heard only one side of the story ?—A. Mr. Marpole evidently, under the existing circumstances, was not prepared to give his side of the question ?

Q. Certainly, I think it would have looked better if you had offered the management an opportunity of investigating before you threatened to strike ?—A. We offered them opportunity.

Q. You didn't by that letter ?—A. We did on the discussion following on the delivery of the letter.

His Lordship.—On the other hand, I don't see how you make out that this man was justly dismissed for sending this letter to the paper.

Mr. Bodwell.—That is a question of argument. Suppose that is not borne out by the facts. The company may reasonably object to any of their employees writing about the strike.

His Lordship.—It seems to me that what took place was this: that there was a press despatch sent to Vancouver to the effect that some reporter had a conversation with some official and set out what that conversation was. That official may have had no authority to make any such statement. These people are simply stating in a Montreal paper the position taken by their order.

Mr. Bodwell.—Suppose the officials read it the same way I did, without Mr. Wilson's explanation ?

His Lordship.—But this is a statement over the signature of Wilson and Dick that this statement is denied by the Brotherhood in Vancouver.

Mr. Bodwell.—They pledged themselves to it.

His Lordship.—They say 'emphatic denial has been received.'

Mr. Bodwell.—They say that the thing is not true.

His Lordship.—They say that because of this reason.

Mr. Bodwell.—They undertook to be responsible for the statement from Vancouver.

His Lordship.—Suppose the company had rightly considered that there was a breach of discipline, it seems to me, having regard to what we heard here, that employees of railways when they go to other roads, are asked for their previous whereabouts and what they have been doing in previous years, and are asked for a certificate of this sort, it seems to me only justice to the man to state exactly what took place. By reading this certificate any man might get the impression that he was betraying the secrets of the company and therefore rightly dismissed. If they turn a man loose with a clearance of this sort they should state what had been printed in the papers and let people judge for themselves.

Mr. Bodwell.—Well, Wilson could have requested that at any rate.

Witness.—I had no way of knowing that they would grant the request.

His Lordship.—It is a stiff thing to have that in any way. If you had that presented to yourself you would naturally get the suspicion that this man was betraying the secrets of the company.

Mr. Bodwell.—I don't think I would. It is a serious thing to say that the company should be condemned for doing what they did in their own interest, and to say they were wrong because a statement which Mr. Wilson could have put on it was not put on it.

His Lordship.—There is a statement which had no imprint of authority at all. He may have had no authority to make that statement, and these people told the people in Montreal their side of the story.

Mr. Bodwell.—Mr. Wilson goes into print to contradict a statement which might have been made by the company. Suppose the report is really true and that was an official statement given out for the purpose of informing the public ; would you consider it a breach of discipline for an employee to go into the case ?

His Lordship.—I am discussing the cause of the dismissal of this man. It is brought before us as one of the reasons for which the men want a union, and this is given in evidence in support of that view.

Mr. Bodwell.—Your Lordship is assuming that this statement is not an official statement.

His Lordship.—There is no authority for it. It is simply a newspaper statement.

Mr. Bodwell.—Suppose it was an official statement given out by way of an interview? What right has Mr. Wilson to assume that it is not?

His Lordship.—By what right does the company prevent him from informing people in Montreal? One would think the company had the sole right of access to the newspapers.

Mr. Bodwell.—Have not the company the right to say their employees should not go into the papers to contradict that statement?

His Lordship.—I don't think a man should be turned loose with ambiguous statements of that sort, especially if it hurts him in getting another job. They might have printed the full statement.

Mr. Bodwell.—Did Mr. Wilson request it?

His Lordship.—I think they could have done it without a request.

Mr. Bodwell.—Mr. Wilson should have pointed out the matter. and then, if the company had refused, there might have been some cause for complaint, but apparently that has not seriously affected Mr. Wilson. As a mater of fact these clearances only refer to different parts of the company's work. When a man leaves Halifax and comes to Vancouver that shows that he left the other appointment. It is only prima facie evidence, and the evidence can be substantiated.

His Lordship.—On the other hand, Mr. Wilson, I don't think you were at all justified in going to these people and saying they had to keep this man in a position whether they like it or not. I think you should have given them opportunity for investigation.

Witness.—The opportunity was offered.

By Mr. Bird:

Q. When you say that Mr. Marpole was acting bona fide in stating he had reasonable cause for suspending Mr. Halton, or dismissing Mr. Halton, you mean to say in making that statement Mr. Marpole gave you the real reason?—A. No.

Q. That letter you think correctly states the reason for dismissing Halton—that he was a member of the U.B.R.E?—A. I think it does.

Q. And that was the solid truth behind the statement of Mr. Marpole?—A. I thought so at the time.

Q. What would you now say?—A. I have not changed my opinion.

Q. You mean to say that your opinion has always been that this matter of the U.B.R.E. was always the trouble in Mr. Halton's case?—A. Yes.

Q. And that is why the U.B.R.E. took the determined stand they did, because the real excuse was that he was a member of the U.B.R.E., and that the existence of the U.B.R.E. was at stake, while on the other hand this flimsy excuse was put forward?—A. Yes, that is the position.

Q. Do you consider there is anything in your obligation to the U.B.R.E. that would make you a traitor to the interests of the company?—A. No, I don't think so.

Q. Is there anything, from start to finish, either of the ritual or the constitution that would make you betray the secrets of the company while in the employ of that company?—A. No, I don't think so.

Q. Do you mean to say if you were sent a report from the executive here and ordered by that executive to make a statement which to your knowledge was untrue, to contradict a true statement, would you feel that you had a right to publish an un-

truthful letter because the interests of the U.B.R.E. were behind it?—A. No, certainly not.

Q. So it is not a fact that you have taken an oath that makes you a traitor to the obligations of the company?—A. No.

Q. The objects of the organization are for the purpose of encouraging the membership by every legitimate means, to obtain a higher standard of morality and to make you better servants in every department of the service. These are all the principal objects of the organization?—A. They are.

Q. Now, in a strike of this kind why do you resort to the public press at all? There is a great deal said in the press about strikes, for and against?—A. Simply as a means of acquainting the public with facts.

Q. Of influencing public opinion?—A. Certainly.

Q. I suppose the success of a strike depends on public opinion?—A. To some extent.

Q. Have the C.P.R. Company any advantage over the U.B.R.E. in relation to press despatches?—A. Well, I cannot state for a fact that they have.

Q. Have the papers of Vancouver given, in your estimation, a fair statement of the position and the respective interests involved in this strike?—A. Some of them.

Q. As to the others?—A. They are not given impartially.

Q. Now, was there any statement made by Mr. Marpole on January 6 about this pistol being put to his head, or was that a statement made on another occasion? Did you hear such a statement made by Mr. Marpole?—A. I have no recollection of it being made at the time.

Q. Have you any recollection of hearing Mr. Marpole say that?—A. No.

Q. Were you the only person at the meeting on January 6?—A. Yes.

Q. And you never heard Mr. Marpole make such a statement?—A. Not at that time.

Q. Nor any other time?—A. No.

Q. Do you consider a man has a right to work if there is work to be had? Do you consider a man has any right at all to demand employment ?—A. Yes, I do.

Q. And you think a company such as the C.P.R. have an absolute right to refuse him employment if they have employment to offer him?—A. Not if they have employment to offer him.

Q. You believe there are thousands of men in this country who have the right to demand employment and have not got it——

His Lordship.—Do you mean to say, Mr. Bird, that the C.P.R. exists for the purpose of providing people a job who have not got a job?

Mr. Bird.—I say it is a crying shame that the employers feel no responsibility in regard to labour.

His Lordship.—Do you think that the C.P.R. should give a man a job simply because he is the first one who goes and asks for it?

Mr. Bird.—I was merely trying to point out to the Commissioners that such a state of things exists; that everything is in favour of the employer and that labour has no rights whatever.

Mr. Rowe.—In what respect?

Mr. Bird.—I mean he has no right to demand employment. He may be starving, but he has no right to demand it.

His Lordship.—Surely you must admit that employment is a matter of contract between people?

Mr. Bird.—It is a matter purely to be bought and sold.

Mr. Rowe.—Just that a man has something to sell, and if nobody wants it he cannot live.

HARRY WILSON—Vancouver, June 5.

Mr. BIRD.—But who is to provide the market.

HIS LORDSHIP.—Do you suggest that something should be provided ?

Mr. BIRD.—I merely state the case.

Mr. ROWE.—I suppose we have to deal with facts as they exist. We cannot hold one party responsible more than the other.

By His Lordship :

Q. What benefit is there in belonging to the U.B.R.E. more than a local organization ?—A. No more than a local organization.

Q. What is the reason that so many men want to belong to the U.B.R.E. ?—A. Well, possibly it would offer more strength of numbers than a local organization composed of a few.

Q. Have you ever apprehended the difficulty which an employer feels in employing men who belong to organizations controlled in the United States ?—A. No, I have not.

Q. It is alleged by employers that one reason they don't like the men to belong to these foreign organizations is that their movements are directed and controlled from various points in the United States ?—A. Well, I can hardly take that as a fact. I cannot say——

Q. Then it is quite clear from some of the constitutions that any settlements come to between an employer and the men must be ratified by people in the United States before it can bind the men ?—A. I believe that is so.

Q. Is that not a highly objectionable state of affairs, that our Canadian people should be subject in any way to the dictation or control of a few men in the United States ?—A. Yes, I should think it would be where it existed.

Q. Don't you think that the incorporation of unions of railway employees in Canada would meet all necessities of the situation ?—A. No, I don't think so.

Q. You think it is a necessity to belong to an American organization ?—A. Under certain condition, yes.

Q. Now, I understand that under this constitution there is to be no strike until the membership has reached 100,000 ?—A. Yes.

Q. Does that mean there is to be a strike when they get to 100,000 ?—A. Not necessarily.

Q. It rather looks to me as if they were preparing for a strike of considerable dimensions when they reach 100,000 ?—A. How would you gather that, my Lord ?

Q. I don't see why any limit should be placed on the number unless they had the intention of creating a strike when they reach a sufficient number ?—A. It is usual, I believe, that a certain limit should be placed on the membership with regard to voting for a strike for or against, or any matters of that kind which may come up. Some organizations place it a little lower. Not that it is intended to follow that line of action when the membership reaches that point.

Q. Do you think the U.B.R.E. have a right to force the C.P.R. to employ them to the exclusion of other people ?—A. No, and I don't know that they are seeking to do that.

Q. Your position is, you simply want to be left alone ?—A. Exactly.

Q. You wish to be free to join this organization without interference from the management ?—A. Yes.

Q. But you are intending to force yourselves on the management as a body—to have dealings with the C.P.R. as a union ?—A. Yes.

Q. Do you think it is a sound position ?—A. Yes.

Q. Does that not virtually mean you are telling the C.P.R. they must deal with you as a union or deal with nobody ?—A. Not necessarily. The fact that the U.B.R.E. as a union made no demand on the C.P.R. would only be with reference to its own members.

HARRY WILSON—Vancouver, June 5.

Q. Yes, but you are endeavouring to force the C.P.R. to recognize you as a union and to deal with you by means of a committee of the union, and that involves the exclusion of people who don't belong to your organization. In other words, you are virtually telling the C.P.R., as far as you can, that you must deal with us or with nobody ?—A. Of course such a situation as that would exist were the U.B.R.E. to take in all employees of the company.

Q. That is no doubt their purpose ?—A. Well, as I understand it, that may be the programme in the future, but I don't know that there is any definite proposition now.

Q. There is no doubt, it is the purpose of this order to bring all railway labour into one organization ?—A. Not already organized.

Q. That is the purpose, to consolidate the railway labour ?—A. Yes.

Q. If all railway labour were consolidated on the C.P.R. it would have the power to stop every wheel from turning from one end to the other ? In the power of two or three men ?—A. I would hardly limit it to one or two or three men.

Q. Well, in the power of the executive ?—A. Yes.

Q. So the action of a dozen men might throw thousands out of employment and paralyze business of the whole country ?—A. It might.

Q. What guarantee is there that such a thing would not happen if all the railway employees of the C.P.R. are allowed to get into one organization ? What guarantee is there that such a state of things would not happen ?—A. There is only the guarantee that the men would act as men of some judgment and reason.

Q. You see as Commissioners we have to look to the aims of organizations, and we understand that the aim of this organization is to embrace all forms of railway labour, and the consequence of that would be to place the power in the hands of a few men called the executive, say a dozen men, and it would be in their power to bring the whole railway system to a standstill from one end of the country to the other. It would be in their power ?—A. It would be under such conditions.

Q. What guarantee would the public have that such a thing would not happen ? —A. Well, no guarantee that I know of except that you would expect men holding that office to exercise some common sense and judgment.

Q. If you had hot-heads ?—A. I doubt if they would have hot-heads nominated for such positions.

Q. I may say we have had an instance of labour leaders coming before us already whom we were not very favourably impressed with, who seemed to have gone so far as to have deceived the local leaders ?—A. Were such leaders in control of such power as you speak of ?

Q. They were certainly supposed to be high up in labour circles. Is there not a danger that an order such as this might lead to confusion among the various classes of employees ?—A. I think not.

Q. The interests, I should think, are widely opposed ?—A. They are, but then separate interests would be looked after and controlled by members who are perfectly acquainted with the different conditions under which certain members work.

By Mr. Rowe :

Q. I suppose the idea is there would not be enough variation of interest to prevent that extreme harmony of interest which the Chief Justice has just suggested might develop ?—A. Yes.

By His Lordship :

Q. Well, the order would either act harmoniously, or it would not. I am assuming that it is working in harmony. It would certainly be in the power of a few men to bring the whole thing to a standstill ?—A. Yes.

By Mr. Rowe :

Q. I presume that would not be likely to happen unless the members of the order thought such action was desirable ?—A. Certainly not.

Q. Are any of the other brotherhoods organized in international unions?—A. Yes.

Q. Are they all?—A. All that I know of. All I know of without exception.

Q. Has there been any opportunity for the organization of railway clerks before the institution of this Brotherhood?—A. Not that I know of.

Q. No international organization of railway clerks?—A. I am not aware of any.

Q. Has there been any of the other classes of workmen represented in the local union here? Baggagemen?—A. No.

Q. Or shopmen, or freight-handlers or labourers? I understand these have never had separate organizations?—A. The freight-handlers have had a local organization.

Mr. DAVIS.—The railway clerks have.

Mr. BIRD.—I underststand it was started and smashed up.

Mr. DAVIS.—How can the C.P.R. smash an American institution?

By Mr. Rowe:

Q. What I want to get at is this: whether this class of workmen have an opportunity of belonging to a union unless they belong to this?—A. Not at the present time.

By Mr. Bodwell:

Q. Did you make any complaint when Mr. Gascoygne entered this cause for your leaving the service?—A. I did.

Q. What did you say?—A. I told him that I thought that was a very poor reason to give me for dismissal, and asked him if he had any idea of the effect that would have upon my endeavours for future work in railroading, for instance.

Q. What did he state?—A. That gentleman admitted that it was a very scurvy reason to give ,but that he was instructed to put it on by Mr. McNicholl.

Q. ,So then, it is not correct to say you didn't make any objection?—A. No, I did make an objection.

Q. You intended to contradict the news in your letter?—A. Just so.

Q. Did you know whether this item in the 'Star' of March 18 was a despatch or not?—A. From the way it was inserted, I had reason to believe it was a press despatch.

Q. There is no date or place mentioned?—A. No, but the first wording of it would give that impression.

Q. It didn't occur to you that it might have been prepared in Montreal?—A. No, it did not.

Q. Well, from the fact that the cities of Vancouver and Victoria are mixed up here and the statement as to the *Charmer* would infer that the official who gave the interview didn't know much about the circumstances, because the strike occurred in Victoria, I understand, and not in Vancouver. The statement has it that 'the *Charmer* not only left Vancouver on time, but also reached Victoria on time.' I assume the meaning is, left Victoria on time and arrived at Vancouver on time. I thought perhaps you thought it was not an authoritative despatch at all?—A. I supposed it was.

By His Lordship:

Q. Have you ever asked for re-employment?—A. Not since my return to Vancouver.

Q. Were you give ntransportation back to Vancouver?—A. I was, transportation only.

Q. You preferred to come to Vancouver rather than stay in Montreal?—A. I did. I would prefer to be stranded here than in Montreal.

Q. Have you applied to any other railway for employment ?—A. No.

Q. You had better experiment with this document?

Mr. ROWE.—Try it on the C.P.R.

By His Lordship:

Q. I would suggest that you keep both the newspaper clippings and paste them on the document as a commentary.—A. I did intend doing that in the event of using them.

VANCOUVER, June 8, 1903.

Mr. BIRD.—I file particulars of paragraph 5a.

(Exhibit 21 B. Appendix.)

I just notice, Mr. Commissioners, that some of these items in the particulars of 5a specify that the work was without extra pay. Now, that applies to all these paragraphs. Every one of these instances which I have been able to quote—twenty in number, I think—are all instances of working overtime and Sundays without extra remuneration.

Mr. ROWE.—In all cases, no pay for overtime?

Mr. BIRD.—Yes. I am in receipt of a letter of the U.B.R.E asking me to bring to the attention of the Commission the one-sided and improper statements that are appearing in the 'Daily Province.' I don't know to what extent the Commissioners have anything to do with the matter, but I have been requested to bring the matter to their attention, and thus publicly protest against the misrepresentation of the 'Daily Province,' in particular certain paragraphs appearing in Saturday's issue.

HIS LORDSHIP.—I don't know that it makes any difference what appears in the papers. We all get our share of abuse.

Mr. DAVIS.—I think the reports in the 'Province' are very fair indeed.

Mr. BIRD.—It looks as though they have passed under C.P.R. supervision.

HIS LORDSHIP.—What would you say about what has appeared in the 'Clarion'? That is your organ?

Mr. BIRD.—It is supposed to be the organ, but as a matter of fact there is no connection between the 'Clarion' and the U.B.R.E.

HIS LORDSHIP.—The 'Clarion' seems to think fit, in its wisdom, to strike at the Commission.

Mr. BIRD.—It is certainly by no prompting of the U.B.R.E., as far as I know. I will call Mr. James Dick.

Mr. DAVIS.—If it would not be any inconvenience to hold back witnesses with reference to the particulars, I wish he would, as those particulars were only served this morning.

HIS LORDSHIP.—You are entitled to time. You cannot expect him to meet these things off-hand.

Mr. BIRD.—I didn't wish to take them at any disadvantage. It has been taken from their own books.

HIS LORDSHIP.—Is this witness on this branch of inquiry?

Mr. BIRD.—He was intending to depose in regard to that, but more particularly as to discrimination as an employee of the company.

JAMES DICK, sworn:

By Mr. Bird:

Q. How long have you been in the service of the C.P.R.?—A. Almost seven years.

Q. Prior to February of the present year what was your position in Vancouver ?—A. Chief clerk of the claims department.

Q. When did you join the U.B.R.E.?—A. In August, 1902, I think.

Q. Are you an officer of that organization ?—A. No.

Q. Did you ever appear on any committee ?—A. Yes.

Q. What committee ?—A. On the committee that approached Mr. Marpole in reference to Mr. Halton's reinstatement.

Q. In that spoken of heretofore as the grievance committee ?—A. Yes.

Q. As a member of that committee did you see Mr. Marpole ?—A. Yes.

Q. The details of that have all been gone into before by other witnesses. I want you to tell us briefly what happened to you by reason of your connection with the U.B.R.E. ?—A. On February 23 I was called to Mr. Marpole's room, and he told me he had a telegram from Mr. Bosworth stating that I was to go to the claims department in Montreal—Mr. Riddell's office—

Q. Was that on the same day that Wilson got notice ?—A. No, that was before.

Q. You are a married man ?—A. Yes.

Q. When did you leave Vancouver ?—A. On the 26th February.

Q. What was the nature of this move to be ?—A. I really didn't know.

Q. Was that stated to you ?—A. Just that I was moved to Mr. Riddell's office in Montreal—the claims department there.

Q. Was it a temporary arrangement ?—A. No, Mr. Marpole told me I must go down there prepared to stay.

Q. Had you been established here and bought property ?—A. Yes.

Q. Inform Mr. Marpole to that effect ?—A. Yes.

Q. Any protest lodged by you ?—A. I said, I thought that was rather a big move; that I could not understand it.

Q. You went to Montreal ?—A. Yes.

Q. Who did you see on arrival?—A. I first went to see Mr. Riddell but he was sick, and then I went to Mr. Bosworth, who was supposed to have sent the telegram to Mr. Marpole, telling him who I was. He said: I don't know anything about the telegram being sent to Mr. Marpole.

By Mr. Rowe :

Q. What is Mr. Bosworth's position?—A. He is fourth vice-president of the C.P.R.

By Mr. Bird :

Q. Did you subsequently see Mr. Riddell ?—A. Mr. Bosworth referred me to Mr. McInnis. McInnis is general traffic manager, I believe, of the C.P.R., and he asked me to see Mr. Riddell another day. I did so. I had met Mr. Riddell before and after shaking hands with him I told him I had been sent down to report for work, and his reply was, I'm damned if I know why you were sent down here, as there is no vacancy in my office.

Q. Was the U.B.R.E. ever mentioned in the course of this interview ?—A. It was mentioned by Mr. Marpole previous to my going down. He said, I was surprised to see you amongst that committee the other day, Dick. He said, I would not have minded you belonging to a union of clerks, but a union going along the road picking up the rag-tag and bobtail and cannot get any others into the union and fellows with the bottom out of their trousers. I didn't say anything to that. Previous to my going to Montreal, when we were talking over matters he said he was sorry to see me connected with that union, but that when I went to Montreal it would be an opportunity to shake my feet of it.

Q. Were you put to work when you went to Montreal ?—A. Yes.

Q. In what capacity ?—A. I wrote up the commodity book, and did general work such as marking off files. I started shortly after I got there.

Q. Was this commodity book an important feature in that office ?—A. It would have been all right if it was kept up to date, but that book was not kept up to date. It was six months in arrear when I took it over.

By His Lordship :

Q. What is the commodity book ?—A. The commodity book is an index of the overs and shorts on the division; of the commodities that are over and short at each station under classified heads.

By Mr. Bird :

Q. Would it appear reasonable to you to take up these books ? What would have happened to the overs and shorts during that period ?—A. A great chance that they would have been placed together, that the overs would have been placed to fill the shortages.

Q. Was this work then an excuse for employment ?—A. Mr. Riddell asked me what I thought of the commodity book. I told him it would be all right if kept up to date, but at the present time I didn't think it was much use.

By Mr. Rowe :

Q. What did Mr. Riddell say in reply to that ?—A. He asked me if we used it on the Western Pacific Division, and I told him we did not. He said he thought it was a good book, handy for picking out the different parts that were short. For instance if you wanted to look for a stove, you would look for that source; if you went by the register you would have to go through the various pages to find the date at which the piece was lost.

By Mr. Bird :

Q. You remember seeing in the paper certain statements purporting to have been press reports in regard to the strike at Vancouver ?—A. Yes.

Q. Are you the James Dick who signed that letter with Mr. Wilson ?—A. Yes.

Q. Were you in court when the circumstances were related by Mr. Wilson ?—A. Yes.

Q. And what about Mr. Wilson's statement of these matters ?—A. Well, it is all right.

Q. Now, when you went back to work on the Monday morning—that appeared on Saturday ?—A. Yes.

Q. What occurred on Monday ?—A. I was called aside by Mr. Riddell ten minutes to six on Monday night, and he asked me if I had come there with the intention of blocking his office. I asked him what he meant. 'Well,' he said, pointing to a long list, 'these are errors in the commodity book. Now, I expected something better from you after being in the service such a long time,' I said I did not believe these were errors. He said, 'Well, I have gone over the book myself and looked it up.' I said, 'Mr. Riddell, it would be impossible to tell they were errors until you had every file to which you refer in your hands.' After that we went on and discussed matters. He took up the point of a stove, I think it was. Stoves would be headed under stoves and parts. It might also be railway supplies, and also household effects, and after I had discussed that matter he said, 'What you say may be true.' He pointed to the bottom of the page, where I think the number carried was household effects, from page 7 to page 9. I had omitted to mention I had carried it to page 9, but I had entered it in the index, which was the proper place. That seemed to be all the things he could find.

Q. Were you discharged ?—A. After that. I referred to Wilson having been discharged in the morning——

By His Lordship :

Q. Was this the same morning ?—A. The same day. Wilson's took place in the morning and mine at night. And I asked him if it was his intention to treat me the

same as Wilson had been treated, and he said, 'Well, we will see.' Nothing particular passed from that time until a fortnight after that, when I was presented with my time book, which was marked discharged.

Q. You were not allowed to return with Wilson?—A. No.

Q. What reasons were given for your leaving—A. I got no reasons.

Q. Did you ask for a clearance?—A. I did. I told Mr. Riddell I would require a clearance paper. He said, 'Oh no.' Then I said, 'If I apply for another position, how about that?' He says, 'You don't need it. I said, 'What am I discharged for?' He says, 'Don't be too inquisitive.' That was all the reply I could get of him.

By Mr. Rowe:

Q. What was the date of your discharge, Mr. Dick?—A. The 3rd of April, I think.

By Mr. Bird:

Q. You worked until the end of your month—was that the idea?—A. And a fortnight afterwards. I arrived there on March 3 and left on April 3.

By His Lordship:

Q. You worked only a month?—A. Yes, but a fortnight from the termination of——

Q. You got paid for six weeks?—A. No, I got paid for the month, but that month included a fortnight which was evidently meant for a fortnight's notice.

Q. Did you ask to get back?—A. Yes, I asked for transportation back to Vancouver. I asked via Toronto, but they would not give it to me. They gave it to me via the main line.

Q. Did you have to pay for your own meals?—A. Yes, my Lord.

By Mr. Bird:

Q. Have you tried to get employment since ?—A. Yes, I have.

Q. Have you been asked for your clearance?—A. No.

Q. Do you know how the C.P.R. operate this alleged blacklist ?—A. No.

By Mr. Davis:

Q. What salary did you get in Montreal?—A. Seventy dollars a month.

Q. The same as you were getting here?—A. Yes.

Q. You received transportation down?—A. I did.

Q. Did you receive your expenses?—A. I did.

Q. Would seventy dollars a month in Montreal be worth more than it would here?—A. From what I could find out it would not.

Q. You think living is dearer in Montreal than in Vancouver?—A. I think it is just as dear.

Q. Then, as it turned out, you were just as well off as if you had remained here?—A. Yes, except as to climate.

Q. You would have gone out on strike with the rest of the U.B.R.E. if you had remained in Vancouver ?—A. Yes, I would.

Q. So that you were better off financially than if you had remained in Vancouver?—A. Slightly.

Q. Your idea is that the company dismissed you on account of the letter published in the paper?—A. That is my belief.

Q. Do you see any reason why they should not give that reason to you the same as Wilson?—A. No.

Q. Your action in connection with the matter was the same as his?—A. Yes.

Q. There was a change in the running of the claims department when you were moved to Montreal ?—A. Yes.

JAMES DICK—Vancouver, June 8.

Q. Formerly, the claims department had been under Darcy of Winnipeg?—A. Yes.

Q. And you were a clerk under him?—A. Yes.

Q. At the time you were removed there was a separate claims department established independent of Darcy?—A. No.

Q. What was the change then?—A. Mr. Larmour was appointed assistant claims agent, but Mr. Darcy——

Q. Your position was a different one from the one which Larmour filled. He came out in connection with the claims department?—A. Yes, certainly.

Q. And when you came back from Montreal to Vancouver, you got your transportation. Did you have to pay your meals and sleeper?—A. I did coming back.

Q. You say you had property. Do you mean you had a house?—A. Yes.

Q. You didn't bring your family?—A. No.

Q. So that you were at no expense of moving or anything of that sort?—A. No. I would have got transportation for them anyway.

Q. I understand you got your position in the C.P.R. and have been holding your position largely through the influence of Lord Strathcona?—A. That is not so.

Q. Is that what you refer to in getting transportation?—A. Certainly not. It is the common practice. I mean for my wife and family going east.

Q. You say Mr. Bosworth knew nothing of the telegram. Did not Mr. Bosworth tell you the telegram was sent by Mr. McNicholl?—A. No, I am not positive.

Q. Have you got the telegram?—A. I have not. Mr. Marpole would not let me see it.

Q. In '97 you were in the paymaster's office?—A. Yes, at Winnipeg.

Q. And there you were receiving from $30 to $50?—A. Yes, up to $55.

Q. I think you are mistaken about the $55. Fifty was the highest you got at Winnipeg?—A. Fifty-five.

Q. You got $30, then $45, and then $50?—A. I believe it was $55.

Q. You then came to Vancouver and got $60?—A. Yes.

Q. And then increased to $70?—A. I was.

Q. In the position you occupied here, say the head of the claims department here, you should not belong to an association at all, should you, according to the rules of the C.P.R.?—A. As a clerk I claim I had a right to belong.

Q. Is it not a rule of the C.P.R. that any head of any department, and I mean a person at the top of any particular division, is not to belong to a union?—A. I believe it is a rule that officials are not.

Q. Is not the top of the department an official?—A. Certainly not.

Q. You were the head of the claims department here?—A. I was chief clerk for Mr. Darcy.

Q. And that was head of that department here?—A. On the Pacific division it was.

Q. And doesn't it strike you as an anomalous thing to have the head of the claims department a member of the union?—A. Not as long as he was serving as chief clerk.

Q. I am talking of you as you were?—A. I was chief clerk.

Q. In that position, doesn't it strike you as at all peculiar that you should belong to a union?—A. No.

Q. Do I understand you to say that the work at Montreal was entirely unnecessary—that it was simply to fill in time?—A. No, I would not swear to that. I reported there, and I got that work to do.

Q. Do you think it was unnecessary work?—A. I claim that the commodity book when it is left for six months is not necessary.

Q. I asked you if you considered the work you were doing to fill in time, back work?—A. Some of it was not back work. It was not all.

Q. Was any of it?—A. No, I don't think it was back work.

Q. Well, what did you tell us this long story about the work if you did not consider it necessary work?—A. I consider it was unnecessary to write a book that had been neglected for six months.

By His Lordship:

Q. You thought it was useless work?—A. Yes.

Q. Have you had any black marks against you by this company?—A. No.

Q. No complaints as to how you did your work?—A. Just the ordinary thing. You get called down for certain things you do, which is not quite according to what they think should be done, but that happens to every official on the road all the time.

Q. When you had this interview with Mr. Bosworth did he object to your joining the U. B. R. E. on the ground that you were an official?—A. He said I enjoyed the privileges of an official, but I deny that.

Q. What do you understand to be the privileges of an official?—A. One of the priviliges, to start with, would be the salary.

Q. What about that?—A. The present assistant claims agent chief, the position I would probably have been in if I had been in my position at all—as chief clerk the position I could possibly have would be Mr. Darcy's assistant on the Pacific division, and the present man, Mr. Larmour, gets $125 a month to start with, whereas I had only $70.

Q. You say that a man to rank as an official ought to have at least $125?—A. That is the salary they paid the official in my position when they appointed one.

Q. Were your duties supervised by this man Larmour?—A. For a short time prior to my going to Montreal.

Q. Who would be the man who would instruct you in your duties?—A. Previous to Mr. Larmour's arrival?

Q. When you were in the service?—A. That would be Mr. Darcy, in Winnipeg.

Q. Would you have to ask him for instructions?—A. Yes, he was the nearest officer I could report to.

Q. And Darcy at Winnipeg was your chief?—A. Yes, my Lord.

Q. Why did you join the U. B. R. E.?—A. Because I thought the clerks required a union as much as any other of the departments in the service.

Q. Why didn't you go about the promotion of a clerk's union without joining this union?—A. Well, naturally any person forming a union like that would look to the nearest position for sympathy as much as—just in the same way as a company like the C.P.R. would look to the state for their co-partners in an agreement to protect their rights, or anything else.

Q. I understand the engineers and firemen and other employees of the railway are not in sympathy with the position taken by the U. B. R. E.?—A. So I believe.

Q. How is that?—A. I really could not tell you; I have not gone into that sufficiently.

Q. They have refused to belong to this union?—A. I don't know that they were ever asked.

Q. How many clerks do you estimate there would be on the C.P.R. system eligible for a clerk's union?—A. Really I could not say.

Q. Are there any clerks who have not joined the U. B. R. E.?—A. Yes.

Q. What proportion?—A. You refer to the Pacific division?

Q. Yes?—A. I could not tell what proportion in the outside parts who have not joined. I don't know how many clerks they have at Nelson or Revelstoke.

Q. How many clerks have joined?—A. I could not even tell you that, my Lord.

Mr. BIRD.—I will call the executive officers of the union as to that.

By His Lordship:

Q. Has it not occurred to you that there may be some reason in the objection by the company that their employees are belonging to a union controlled from San Fran-

cisco?—A. No. I see no reason why we should not have our headquarters there. The other unions, I understand, have theirs.

Q. The other railway unions?—A. Yes.

Q. The chief aim of the union is to bring in all railway employees?—A. Yes. we would like to.

Q. If all the employees of these unions were organized it would be a pretty formidable body?—A. Yes.

Q. Practically run the railway?—A. Not as long as the officers were just.

Q. It would really run the railway?—A. No, I don't think so. If the employees demanded too much it would be killing the goose that laid the golden egg, and that would not be in their interests.

Q. If the men at the head of the union were ill-advised in their movements a great disaster might ensue to the public?—A. If the heads of the union or the executive were like that, then these are the men that the C.P.R. are looking to have as officials, and if they were like that they would be apt to make just as big a mess. I believe the officers of the union are just as capable men as the officials.

Q. What advantages would you say clerks would have if they were allowed to join this union?—A. The social benefits which accrue to the members of other unions; they would have improved conditions; they would have a chance for bringing their grievances properly before the company ,and they probably would have a schedule signed for a certain time, which would leave them to a certain degree in security.

Q. This strike is really for recognition of this union, is it not?—A. I call this a persecution—a lock-out.

Q. Leaving aside the phrase the gist of the matter is that the C. P. R. won't recognize the union ?—A. So I believe.

Q. And you think they should recognize it ?—A. I do, certainly.

Q. And the men have quit work for that reason ?—A. Yes.

Q. Does it not occur to you that it is a difficult position to maintain to endeavour to force a railway to recognize a union ? You see the position you take is to force the railway into recognizing the union ?—A. Yes, but I maintain that the company have forced our hands. Had they not done so we certainly would not have taken the step we have.

Q. But you undertook to interfere with the management, as a union, in the case of Halton, didn't you ?—A. I understand Halton's case to be that he got leave of absence and went to Seattle.

Q. But the point is, you undertook to take up Halton's case as a union, and in that way you brought up the case of recognition ?—A. Because we believed that the management was dealing with Halton on account of his connection with the union.

Q. They affirm it was on account of some contravention of duty ?—A. I don't know as to the truth of that.

Q. And you, having heard only one side of the case, came to the conclusion that he was being persecuted, and took it up as union men and endeavoured to force the C. P. R. to discuss it ?—A. I don't think we made any demand. We only asked them to discuss the matter with us, probably as a union, because we believed that one of our brothers in the union was being persecuted on account of his connection with the union.

Q. Had you ever, before this, made a demand as a union in connection with any person ?—A. Not that I can remember.

Q. You did in connection with this same man Halton, in January ?—A. That is the one I refer to.

Q. But that January matter had nothing to do with this ?—A. Oh, no.

Q. So that there was a case where you came into collision with the railway management as to the union ?—A. Yes.

Q. And you endeavoured to take up the Halton case as a union at that time ?—A. At that time.

JAMES DICK—Vancouver, June 8.

Q. So that was really an attempt to force the railway into recognition of the union ?—A. I cannot see it in that light. We wanted to discuss it as a body of the union, and Mr. Marpole said he would not deal with us as a committee from the U.B. R.E.

Q. But you in your turn then threatened to strike then ?—A. I believe they were determined to refer the matter to the body again.

Q. That was the up-shot of it ?—A. I suppose the conclusion is that after we were taking attitude like that that most likely we would go out on strike.

Q. From your point of view Halton was being persecuted, and the union saved him on that occasion ?—A. I believe so.

Q. From their point of view it was an undue interference with the management ?—A. I believe that is the way they looked at it.

Q. You would not go so far as to say, I suppose, that the railway had not the right to employ people to take your places outside of the union ?—A. Well, during trouble like this I think any person who would do that would be liable to get themselves called an ugly name.

Q. Such person would have a right to get a job and make a living ?—A. Yes, certainly.

Q. You really have no abstract right to say to the railway that you must employ me on such and such terms or employ nobody ?—A. No, I don't think we have, but we can ask the management not to do so.

Q. But when you asked the management not to do so, you took all means to prevent them doing so ?—A. Yes, after we have been unjustly treated we take all means in our power to prevent it.

Q. I want to get at the real nature of the demand. You say unless you receive so and so we will go out, virtually saying to the railway company, you must employ us on our own terms or you cannot employ anybody ?—A. That is virtually the position taken by all unions.

Q. As far as they consider it necessary to take that position ?—A. Yes.

Q. Do you think that is a tenable position for a union to take ?—A. Well, of course, if it is governed by——

Q. You say to the management you have to pay us so much wages or we go out. That is virtually saying you must employ us and no one else. I am getting at the justification for the strike. That is virtually going out on strike, saying to the company you won't employ us for the wages we ask, then you won't employ any one ?—A. If we had a schedule we would give the company timely notice, and they would have opportunity of knowing exactly what we were going to do. We would employ all the best efforts we could to obtain our purpose. A strike means where a union is forcing the company's hand, and a lockout is where the company is forcing their hand.

Q. A strike virtually means, if you won't employ us you won't employ any one else—that is what it means ?—A. Yes, sir.

Q. The question is whether the circumstances justified the strike ?—A. Yes, they did ; in my belief their demand is just ; then I suppose they would feel justified in adopting the strongest means they possibly could to obtain that purpose.

By Mr. Rowe :

Q. Has anything been said to you by Mr. Riddell concerning the letter in the 'Witness' ?—A. No, I referred to the matter myself.

Q. Do you believe that the complaints regarding the alleged errors in the commodity book were fictitious ?—A. I believe that Mr. Riddell was asked to find some fault other than the publishing of that letter, and that he went to that commodity book and took up a lot of things which he supposed to be errors and submitted this list.

Q. Was any attempt made to find out whether they were really errors or not ?—A. Not beyond discussion and the reference to the book which Mr. Riddell made of the books with myself The result of that investigation was that he said, supposing

that that is the explanation, you cannot get over this, and that was the fact that I had omitted to carry from page 7 to 9 where I had carried that distinguishing class over from the one page to the other. I had omitted to put at the bottom of page 7 that it was carried to 9. I carried it in the index, and I went over the work afterwards, and I could not see that there was anything to justify Mr. Riddell's contention that I had come down to botch his office.

Q. You say you cannot account for the different treatment accorded you and Wilson ?—A. No. I cannot see that I had done anything more than Wilson.

Q. In the matter of clearances and in the matter of being kept two weeks afterwards ?—A. Yes, but Wilson was paid for the fortnight, and I was kept to work mine out, so that the two of us could not go home together. I got no statement of the cause of my dismissal.

Q. You swear that you don't know from anything the company said why you were dismissed ?—A. I do.

Q. When you were chief clerk here was your relation to Mr. Darcy the same as you would be to Mr. Larmour ?—A. Yes, I would be simply chief clerk to both. I would have the same duties and the same relation to the rest of the staff.

Q. Had you anything to do with the payment or recommending for employment of the staff ?—A. Yes.

Q. Had you the same powers in that regard as the head of the department would have for that division ?—A. Well, yes, I would have that, certainly. The powers are very small, as far as that is concerned.

Q. Does the chief clerk have the same powers under Mr. Larmour, in reference to the staff ?—A. No, Mr. Larmour would appoint them.

Q. Do railway clerks generally get the same pay as is given for work in other employment ?—A. I don't believe so. From what I can learn the most of the bookkeepers in Vancouver are paid at the rate of $75 per month for chief bookkeepers.

By His Lordship :

Q. One reason for that would be the permanency in the case of the railways ?—A. There was no permanency in my position.

Q. I mean to say there is not much danger of a railway bursting up, and there is of the merchants ?—A. Yes, of course there is that.

By Mr. Rowe :

Q. Is there any provision for superannuation ?—A. I believe there is, but it is very poor, I consider—the conditions of it. It is just left to the committee whether they will give it at the end of service. Left to their discretion, I believe.

Q. Do chief clerks generally belong to the union ?—A. We have several chief clerks in the union, I believe.

By His Lordship :

Q. Have you tried to work elsewhere ?—A. Yes.

Q. On a railway ?—A. No.

Q. With what result ?—A. Well, I didn't happen to strike it.

Q. You are still without work ?—A. Yes.

Q. Who organized this union here ?—A. I believe it was started by the clerks in the freight office.

Q. Did somebody come over from the other side to organize it ?—A. Not so far as I know.

Q. Who started the thing moving ?—A. I think it was several of the clerks in the freight office combined together and discussed the matter, but I really could not say. I was not there at the beginning of the unon ; it was considerably after I joined it.

Q. Did they send for an organizer from the other side ?—A. I really could not say.

JAMES DICK—Vancouver, June 8.

By Mr. Rowe :

Q. With reference to strikes: Do you know of any other means by which workmen can secure increases in wages unless by organizing into unions and striking ?—A. That seems about the only means by which the labour men can get their demands. It is really the only power they have after they have made every just effort to get what they want.

Q. Would you say that the union is a sort of trust to force up the price of labour? —A. Trades unionism, I believe, is about the only solution of that problem.

Q. Do you think the clerks have suffered by reason of the fact that heretofore they have had no union ?—A. Yes.

Q. In the matter of wages ?—A. Yes.

Q. And would one purpose of the U.B.R.E. be to increase the wages of the clerks? —A. We would naturally seek to get similar wages at the coast here as was being paid across the line in other parts where the conditions were alike. Take Seattle, I believe the rate of wages is a great deal higher than they are here, yet the living is very much the same.

Q. Is the rate of wages higher in Seattle than say Chicago?—A. I was only taking Seattle with this, because it is coast town nd very much similar.

Q. How do wages in Vncouver compare with those in Montreal ?—A. I believe they are much less in Montreal than they are here in certain groups. In Montreal a great many of the clerks employed by the C.P.R. are living at home with their own people. They get small wages and live at home, and in that way don't require the same pay.

Q. That would refer to junior positions ?—A. Yes, and up to pretty nearly chief clerks.

Q. How about chief clerks ?—A. They are paid much the same as here.

Q. That is about the same ?—A. Yes, about that. The chief clerk in Winnipeg is paid a little higher than I was here, and the chief clerk in Montreal was paid a little higher than I was here.

By His Lordship :

Q. How many men were there under you—I mean who would have to take orders from you ?—A. There was only a stenographer and a lost freight tracer who had to take orders from me out of 65 employees. The present man has a staff of five people.

Q. Would you regard a man who has five under him as an official ?—A. He has an official title. It was assistant freight claims agent, and now it is claims agent. He got promoted within one month.

Q. I suppose that is their position, that a man who gives orders to others is an official and not eligible for a union ?—A. Yes, but I claim that that would not be practical.

Q. I don't suppose it would be, because a conductor gives orders ?—A. Yes.

Q. You don't hire or discharge the men ?—A. I would not discharge anybody without referring it to the superintendent.

Q. You have got no power ?—A. I really don't know. I never had anything, but before I would discharge a man, I would have certainly reported to the general superintendent and taken instructions from him.

By Mr. Davis :

Q. At the time the strike took place there was no complaint about wages of the clerks ?—A. Not that I know of.

Q. Why do you say the clerks suffer on account of wages by having no union ?— A. That does not refer to that time. I think if we had a union and it was recognized, that we would have had a schedule and a better class of prices.

Q. So there was no complaint about wages ?—A. No.

Q. Then if there was no complaint, the wages were satisfactory ?—A. Well, wages were not mentioned at all.

Q. Why do you say that the clerks suffer over the question of wages through having no union ?

Mr. BIRD.—I was going to take up all this, but in deference to my learned friend's request not to go into these questions, I have not.

Mr. DAVIS.—I didn't understand that this man is to be recalled.

Mr. BIRD.—Certainly he is to be recalled in that very connection.

Mr. DAVIS.—If that is so, I have nothing to say about it.

Q. Do you pretend to state positively that you say it is left to the discretion of the company whether pensions are given or not, because, I don't want to discuss it if you don't know ? Do you know yourself, or are you merely stating that as something you have heard ?—A. Merely as something I have heard.

By Mr. Bird :

Q. Just in that connection : Is this a copy of the pension scheme that is sent to each employee of the company ?—A. Yes, I believe it is.

Q. You have a copy of that ?—A. Yes.

(Copy put in, Exhibit 49.)

W. H. BROWNE, sworn.

By Mr. Bird :

Q. Are you a member of the U.B.R.E. ?—A. Yes, I am.

Q. Were you previously in the service of the C. P. R. ?—A. Yes.

Q. For how long ?—A. Since January 9, 1889.

Q. That would be 14 years. What position were you in, say in January of the present year ?—A. Revising clerk in the local freight office.

Q. You are one of the men who went out pursuant to the decision of the U.B.R.E. in February ?—A. Yes.

Q. Have you tried to get a job since you left the employment of the company ? —A. Several places.

Q. Where did you go among others ?—A. Seattle.

Q. How long ago ?—A. About six weeks ago.

Q. Where did you apply for a position ?—A. Both with the Northern Pacific and Great Northern.

Q. What position did you apply for then ?—A. There were two positions, one in the general freight office and another in the local freight office, and I had the choice of the two.

Q. How do you mean—you were sent down there ?—A. I had a complimentary pass from the Great Northern.

Q. Who did you see there ?—A. I met several of the boys belonging to the U.B.R.E. and I said I was down to take a position. One of them said, I bet you a new hat you don't get one. I said, I am not like you, I am on the inside. I thought I would go to the assistant of the traffic department. After I made myself known the first question was, you are from Vancouver. I said, yes. He said, you were mixed up in that U.B.R.E. business. I said, does that make any difference. He said, we understand one another, and I said, well, there is no use discussing it further. He says, not particularly. I says, how about these two positions, I am to have the choice of one of them. He says, I don't know anything about them. I said, there is a posi-

tion vacant in the local freight office, would you mind giving me a letter. He said no, so he gave me a letter to Mr. Mackenzie, the agent there. He was not in, and I left it with the chief clerk. He says, you are from Vancouver, and I said, yes. Well, he says, I don't know, you had better come around about two o'clock. I said, where is Mr. Mackenzie. He said, he is not in. I went down to the Pacific coast dock and met Colonel Brinker. He says, what are you doing here. I said I was looking for a situation. He says, come over here and I will introduce you to Mr. Mackenzie. I commenced to discuss the matter with Mr. Mackenzie. He says, I got your letter all right. I says, how about giving me a position. I showed him a tetimonial. He said, that is no good. I said, what do you want. He says, get me a good clearance from the C. P. R. and I will give you a position. I rang up the C. P. R. and asked if I could get a clearance. They said they would give me a clearance with the word strike in it, or something like that. I asked what was the matter, and they said I was picketing or something of that sort. I don't know what they meant by picketing.

Q. Did you further attempt to get employment ?—A. I tried other places around town. I tried the Pacific Coast Company, and when I went to Mr. Talbot, of that company, he said, you are just the man we want. I said, when can you find an opening. He said, I will let you know. I wrote him, and have received no reply.

Q. Can you recognize that as an official document of the C. P. R. (exhibiting Exhibit 50)—A. Yes, I have seen one or two of them on the corresponding list—similar documents.

By Mr. Davis :

Q. I may say that the signature is not that of Mr. Downie ?—A. No.

Mr. DAVIS.—I don't see how it can be a genuine document.

Mr. BIRD.—It is a blacklist. Documents sometimes get into waste-paper baskets.

Mr. DAVIS.—And sometimes are taken from places not waste-paper baskets. I think it would be a good thing to explain how you got possession of it if it is a genuine document.

Mr. BIRD.—Perhaps my learned friend will explain where he got Mr. Estes' letter.

Mr. DAVIS.—We got it from your organizer Poore, if you want to know. Now, will you explain where you got that ? It was given also, it was not stolen.

Mr. BIRD.—I doubt very much if Mr. Poore knew what he was doing when he did it.

Mr. DAVIS.—I don't suppose any of your organizers know what they are doing.

By His Lordship :

Q. What do you make this out to be, a copy of a letter sent to the superintendent of the Northern Pacific ?—A. I don't know.

By Mr. Bird :

Q. Is it a common thing for clerks in the superintendent's office to sign the superintendent's name ?—A. I have seen it that way.

(Document put in, marked Exhibit 50.)

His LORDSHIP.—Where did that come from, Mr. Bird ?

Mr. BIRD.—That was handed in by an officer of the U.B.R.E. I think it was picked up in the waste-paper basket.

His LORDSHIP.—It had better be traced. It might be a forgery. If necessary we might hold a sitting at Nelson. You had better trace it up the best way you know how.

By Mr. Bird :

Q. Now, what was the outcome of your attempt to get work at Seattle ?—A. I gave it up as a bad job.

Q. Did you make any attempt to get a clearance ?—A. When I found what was going to be put in I didn't insist on having it.

By Mr. Davis :

Q. What you call a clearance is really a reference, a certificate of good character ? —A. I suppose something to show that you left your last position in good standing. I made sure to get that.

Q. Do you think a person who has been just on strike would be entitled to that ?—A. Certainly.

Q. Then the fact of being on strike is nothing against an employee, is it ?—A. No.

Q. Then why should you object to the word 'strike' being put in ?—A. I objected to nothing further.

Q. Why should you object to the fact of your being on strike going in ?—A. I objected to other things.

Q. What did you say besides ?—A. I said strike, agitators and other things were going in.

Q. But the party over the phone told you it was picketing ?—A. No, that was a person on a newspaper here told me that.

Q. Who was the person that interviewed him. You had a conversation over the phone ?—A. About an hour after this gentleman saw Mr. Beasley.

Q. Didn't you have a conversation with Mr. Beasley ?—A. Yes.

Q. And that was the one in which you asked him if he would give you a clearance? —A. Yes, I asked him if he couldn't cut out that I was on strike.

Q. What did he say ?—A. He said he was not going to get himself into trouble in Montreal.

Q. The reason why he would not keep out that you were on strike was for that cause ?—A. Yes.

Q. Putting in that you were on strike would only be a statement of fact ?—A. Yes, but the other things——

Q. What Mr. Beasley told you was that he would put in that you were on strike ? —A. He said he was going to fix it to suit himself. He said he would put in what he liked.

Q. But he told you that he would have to put in the clearance that you were on strike ?—A. Yes.

Q. But all that he told you he put in the clearance was that you were on strike ?— A. Yes.

Q. Now that was only a statement of fact ?—A. Certainly.

Q. And you don't think that the fact that you were on strike should interfere with you ?—A. I don't mind if he would lift the blacklist.

Q. What do you mean by that ?—A. When I went to secure employment I knew that there was some advice ahead of me.

Q. When you went in and asked they naturally inquired whether you were mixed up in the U.B.R.E. ?—A. They knew I was coming. The first question asked me was whether I was on strike.

Q. Certainly it would be. Do you think they would want to get any man from another road on strike ?—A. I was forced out.

Q. Oh, no, you were not. There was nothing remarkable that they should not wish to employ a man on strike ?—A. When they first inaugurated the blacklist they should not take a man from employment after once placing him on the blacklist.

Q. What do you mean by that ?—A. It was inaugurated on the American systems, I believe. It is a list of names furnished to all railways in all parts of North America, I suppose.

Q. What you meant is that the C.P.R. furnishes a list of men who have got into trouble with them to all railways in North America ?—A. That is my opinion.

Q. And when you talk of the blacklist you are referring to that—this supposed document?—A. Yes, that is correct.

Q. If it is merely a case of another railroad asking for references and wanting to get the history of a man's employment there is nothing in that?—A. No. It is only a system inaugurated in the last four years.

Q. For instance, if I employ a man in my law office and ask for references, that would be natural?—A. Yes.

Q. And if I found he had been dismissed for carelessness or taking money I would not employ him?—A. Yes, I suppose that is the rule.

Q. And it is very necessary for a bank to ask for references?—A. Yes.

Q. The strike of the U.B.R.E. was very well known?—A. Not very well known there.

Q. If this blacklist as you call it has nothing more than these things, just asking for reference, you would not object to it ?—A. They may believe it was all right to take a position——

Q. Where is there anything in the shape of blacklist about this ?—A. This prevents a man seeking employment elsewhere.

Q. What prevents a man seeking employment elsewhere ?—A. A man takes umbrage at him, I suppose.

Q. You say the blacklist prevents it ?—A. Yes.

Q. As you understand it, a list is sent out ?—A. Yes.

Q. But if there is no list sent out, and if it is only a case of one employer requiring a reference from another—there is no objection is there ?—A. I suppose that is the ordinary course.

Q. In every business, would it not ?—A. I suppose that is right.

Q. It is a question of whether or not there is any such thing as what you call a blacklist. Does this (Exhibit 50) bear out your idea of the blacklist ?—A. I have seen some similar documents to that.

Q. Where is there anything in the shape of blacklist about it?—A. This, the record, that means publishing a blacklist if it prevents a man working. In a certain way I consider that a blacklist.

Q. And that is your idea ?—A. No, it is not my idea entirely.

Q. All this is, is a letter from Mr. Downie to Mr. Russell, superintendent of the Northern Pacific Railway at a point in the States, stating that a certain man has applied to Mr. Downie for a position in the railway and asks Mr. Russell for the references of that man. That is all ?—A. Yes.

Q. And Mr. Russell sends back the record that the man had?—A. Yes.

Q. On the whole it would look as if that clearance were given with the view of not hurting the man?—A. Not given directly.

Q. It was on account of reduction of force?—A. Yes.

Q. The facts were not discovered until Mr. Downie wrote to Russell making inquiries?—A. Was the man in the employ of the C.P.R. when that was given ?

Q. This man never worked for the C.P.R. He worked for the Northern Pacific? —A. Why should the agent at Nelson ask for it ?

Q. Benjamin Franklin Wood goes to Mr. Downie at Nelson and applies for a job on the C.P.R. Tells Mr. Downie he has formerly worked on the Northern Pacific. Mr. Downie thereupon writes to Mr. Russell, superintendent of the Northern Pacific, asking for his record—that is a reference of character. Mr. Russell writes back and says his clearance was on account of a reduction in force and gives certain information? —A. And lets a man out on account of reduction in staff. That is railroad practice.

His Lordship.—Why should the C.P.R. make inquiry at all, when the reason is given on the clearance?

Mr. Davis.—I take it that it is a rule when a man goes to the C.P.R. stating he has worked on another road that that form is sent to the other road to find out what they think about him.

His Lordship.—Why should the C.P.R. man go to work and inquire as to what the real cause of dismissal was when the clearance shows that it is made for cause that would not excite suspicion.

Mr. Davis.—I would understand that naturally, irrespective of anything that man brings, when he goes to the C.P.R. stating he has worked on another road, they send to the other road to find out what they have to say about him.

Mr. Rowe.—If not the clearance has no value?

Mr. Davis.—It may or it may not. The C.P.R. have established a policy irrespective of the clearance. The man may not have a clearance.

His Lordship.—This man had, according to that letter.

Mr. Davis.—A man may be dismissed and there may be no trouble, but it may be very useful indeed to find out what sort of a man he was. If I am employing someone surely there is something more to be found out than that the man worked for somebody else and dismissed, or any cause given. References usually go a great deal further than the mere statement that a man worked for somebody.

Mr. Rowe.—Then you understand that a man may leave a company with apparently a perfectly clear record, and still another road not want to employ him on account of something contained in his earlier character?

Mr. Davis.—There may be half a dozen different applications for one position. They send these out and pick out the man they want from these reports.

Mr. Rowe.—Apparently when this man left the company he left it at a time when there was not a strike, but that he had previously been engaged in a strike, and evidently the strike was over for he returned to work with this record against him.

Mr. Davis.—It was not against him until sent for. That proves on the face of it that there is no such thing as this blacklist; that the company sends out a list; that they are down on some one. All this shows is that it is the practice of the C.P.R. before they employ a man engaged on another road to get a certificate of character, whatever it may be.

Mr. Rowe.—And I suppose you will put in evidence before the Commission that the C.P.R. does the same thing with other roads upon request?

Mr. Davis.—I don't know what the practice is, but I assume that if asked, they would state the facts. For instance, some one writes and asks me about my clerk, and I write and tell him. It is the same thing. There is no agreement about the matter.

His Lordship.—I don't see why the C.P.R. should be so curious to inquire into the record of switchmen.

Mr. Davis.—That is one of the most important situations on the road.

His Lordship.—I would not think so, judging by the salary he is paid.

Mr. Davis.—I think they are very well paid.

His Lordship.—If this man was to be a chief detective or an official of some high grade, one could understand, but where a man's clearance shows that he was dismissed on account of reduction of force, and is only a common switchman, it seems to me there is something behind it all.

Mr. Davis.—If a switchman were to drink, for instance?

His Lordship.—The clearance would show that, I should think.

Mr. Davis.—It might not be sufficient for that. Your Lordship cannot draw from that document any particular system that I can see. That only shows that it is the practice of the C.P.R. to inquire about railway employees before they employ them, and it seems to me that it is a good business precaution.

His Lordship.—Then it seems to be a ground of offence to the companies that a man is a strike agitator. Because a man took part in a strike and walked out he is debarred from being employed by any other road.

Mr. Davis.—An agitator is a very different thing, but I can understand that if two or three men were applying for a position, any company would prefer a man who was not an agitator to a man who was. The chances are there are several applications for this position, and they naturally want to get the best man.

His Lordship.—Evidently this man did not get the job because he was in the habit of getting drunk, but because he was an agitator.

Mr. Rowe.—Evidently the companies have the same objection to strikers as unions have to scabs.

Mr. Davis.—We have not applied such strong language to them. But a striker is one thing and an agitator is another.

His Lordship.—This man was apparently at the top of the list of crimes because he apparently was a sworn strike agitator and took part in the strike.

Mr. Davis.—They are statements of fact. I don't know anything about that. We are not responsible for the Northern Pacific. What we are responsible for is that before employing a man they get a report from the other lines he has worked for, and that report is acted on accordingly. It does not mean that they will not employ a man because he is a striker, and I cannot see the objection. Any ordinary business man would do it, and why any offence was ever intended should be supposed to be lurking behind it I cannot see.

Q. Did you do any picketing?—A. No.

Q. What do you understand by it?—A. I don't understand it at all.

Q. How do you know you didn't do any?—A. I simply went out and interviewed people.

Q. What people?—A. To keep track of McLeod.

Q. He is not people. Where were you stationed—on the street going to the C.P.R. depot?—A. Once in a while.

Q. And you were interviewing people you thought were going to work for the C.P.R.?—A. No, I accosted several people I knew.

Q. And tried to persuade them not to work for the C.P.R.—A. They told me they would not.

Q. You tried to persuade them and you did?—A. I didn't know I made a success of it.

Q. Will you say you did not ?—A. Well, after I talked to them.

Q. You say you were not able to get a job from the Pacific Coast Company?—A. No.

Q. Do you blame the C.P.R.?—A. I have an idea, that is all.

Q. That they were at the bottom of that?—A. Certainly.

Q. What makes you think that?—A. As I told you before, I was of the opinion that there was something behind everything down there. When I went there everybody knew all about it.

Q. You think the C.P.R. had been sending around to all employers of labour in the United States?—A. I surmised that. I had secured a position, and when I got there I could not enter upon the duties at all.

By His Lordship:

Q. Who had you secured it from—some official of the Great Northern?—A. Yes, he gave me a pass to go.

Q. You went immediately?—A. Within three days after I got the pass.

By Mr. Davis:

Q. Did you tell any one that you were going—any railway people?—A. Yes. One of the fellows in the freight office who went back to work knew about it.

Q. You found when you went to Seattle you could not get it?—A. Yes.

Q. You went to the same man who asked you to come?—A. I went to J. E. Even, I was directed to go to him.

Q. Did you apply for the position?—A. Yes, I was told there were two positions; one in the general and one in the local freight office, and I had the choice of the two. The man who was to appoint me was J. E. Even.

Q. You had made a general application?—A. Yes.

Q. What about Even?—A. He would not discuss the matter at all. The first question he put to me was, you come from Vancouver and were mixed up in the U.B.R.E., and I said there was no use in denying it. Then I asked for a letter to Mackenzie. Even is assistant general freight and traffic manager. I got a letter from Wurtle.

Q. The Great Northern agent here?—A. Yes.

Q. How did you come to apply to him—did he advertise?—A. No, I went to him direct.

Q. Did you know the positions were open?—A. No.

Q. Did he give you a letter when you saw him?—A. No, he went to St. Paul from here. I got the letter before he went.

Q. How long after you first spoke to him did you get the letter?—A. In the course of four days.

Q. Did you leave the next day after you got the letter or the same day?—A. I left Sunday morning at nine o'clock, and I got the letter Saturday evening.

Q. Is it not altogether likely that he would write down reporting to the head office, and would state that you had been one of the U.B.R.E. strikers?—A. I don't know what he stated.

Q. Is it not reasonable that he should do so?—A. I supposed he would try and oblige a friend and not mention these things. I don't know what he said.

Q. There is nothing unreasonable about reporting that?—A. No.

By His Lordship:

Q. You are a freight clerk?—A. Yes.

Q. Why should he say anything about it at St. Paul?—A. I don't know.

Q. The man felt an interest in your behalf—he got you transportation?—A. Yes.

Q. Did that come from St. Paul?—A. No, I think it was issued in Seattle and sent up here.

By Mr. Davis:

Q. In sending you down it would be necessary to say if you had been in railway service before?—A. Yes.

Q. And he would say where, would he not?—A. I cannot understand why h would send the pass.

Q. He would naturally say what road you had been working on?—A. Yes, I suppose so.

Q. And he would have to explain why you were not working on it, and the explanation would be that you were on strike?—A. I don't know what conversation they had at all.

Q. How much have you been paid by the U.B.R.E. since the strike commenced?—A. About $25 or $30.

Q. Is that altogether?—A. I could not give the exact amount. That is altogether.

Q. You don't believe—or do you complain of the company objecting to employ U.B.R.E. men?—A. I don't see why they should object to employ them.

Q. Do you complain that the company are not willing to employ U.B.R.E. men? —A. Do I complain about it? I don't see why I should not.

Q. Do you complain?—A. In what respect?

Q. In any respect. Is it a complaint on your part against the company that they are not willing to employ U.B.R.E. members? —A. No.

Q. You admit that the company has a right to employ anybody they like—A. If they are going to buy an article they should buy the best.

Q. What has that got to do with the C.P.R. being bound to employ them or not?—A. No one is bound to employ anybody, as far as I can see.

Q. Have they a right to employ or refuse to employ members of the U.B.R.E?—A. They can use their own discretion.

Q. And there is no reason why they should not use their own discretion?—A. I don't see why they should not.

Q. Have they a right to dismiss a man because he is a member of the U.B.R.E.?—A. I don't think that has anything to do with the question. I don't think they have a right to dismiss a man because he belongs to an order.

Q. They have a right to dismiss a man if they don't approve of his habits?—A. Certainly they have.

Q. Would they have the right to dismiss a man who belonged to an organization which was injurious to the company?—A. In what respect would an organization be injurious to the company?

Q. Well, an organization which they think injurious to the company. Do you consider that the company have a right to dismiss a man who belongs to an organization which they deem dangerous to their interests?—A. The company consider every organization dangerous.

Q. What is your answer?—A. I don't think they have any right.

Q. Your idea is that no matter how dangerous the company may consider the existence of an organization is to their interests they still have no right to dismiss a member of that organization?—A. They consider all organizations to be dangerous.

Q. They must regulate their own actions according to their own idea of things?—A. Not until the company is brought into subjection can they regard this idea.

Q. What do you mean by that?—A. As I have said before, they have objected to other organizations on their system.

Q. Do the company object, or have they ever objected to class organization?—A. They have, yes.

Q. In what case?—A. In the conductors' case.

Q. What is your information?—A. When I was car-checker, Mr. Downie was assistant superintendent, and I used to come up at 9 o'clock to turn in my reports, and they had the conductors' book there, and Mr. Barnham I think was the conductor and he asked whether he was a member of that organization, and he said yes. Well, he said, you cannot take that train out. I said, what is the matter? He says, I am going to get my time check.

By His Lordship:

Q. When was that?—A. About 8 or 9 years.

By Mr. Davis:

Q. Do you swear that Mr. Downie ever told this conductor that because he was a member of the conductors' union he could not take the train out?—A. Yes, I was there at that place. In their office there—in Mr. Downie's office.

Q. Here in Vancouver?—A. Yes. They were in the dispatchers' office.

Q. What time of the year—you say 8 or 9 years ago?—A. I could not give the exact date; I only remember the particular case.

Q. If he was in the dispatcher's office someone would be present?—A. I think Walter Miller was present.

Q. In what other instance?—A. I only heard newspaper reports. I don't know of any other.

Q. That is all you have for saying that the C.P.R. have refused to recognize all unions?—A. Newspaper reports and the case of the trackmen.

W. H. BROWNE—Vancouver, June 8.

Q. Don't you know that the C. P. R. have agreements and recognize unions of all class organizations ?—A. Yes, after having been compelled, I suppose, to submit to them.

Q. To come back to the question I asked you : Have or have not the company a right to refuse to employ or discharge a member of a union which the company considers dangerous to its interests ?—A. They have a right to discharge anybody. They do it.

Q. Don't you think they would be foolish not to discharge an employee of a union which they considered, rightly or wrongly, to be dangerous to their interests?—A. They have the right to discharge anybody, I suppose.

Q. Is that an answer to the question?—A. I think that will do.

Q. It is the best answer you can give ?—A. Yes.

Q. Will you swear that eight or nine years ago the conductors' organization was not recognized by the C.P.R.?—A. No, I won't say eight or nine years. I don't know the time.

Q. Will you swear that ten years ago—ten or twelve?—A. There is no use binding me down to time. It was only shortly after I was employed in Vancouver, and I won't let you bind me down to time.

Q. Well, there was nothing of that kind?—A. I was sent by Mr. Abbott with a letter to Gavin to take out the train, so I know.

By His Lordship :

Q. You complain of the blacklist?—A. Yes.

Q. You approve of unions speaking generally?—A. I think they are a benefit to men at the present age.

Q. They have blacklists, have they not?—A. I don't know of any.

Q. Have you heard of unfair lists?—A. I have read of them in the newspapers.

Q. That is the same thing as a blacklist?—A. I suppose it is something similar.

Q. It seems to be horse and horse?—A. I suppose so.

By Mr. Bird :

Q. Do you think you were reasonable, Mr. Browne, that your 14 years of service with the C.P.R. should outweigh the fact of your being connected with the present strike?—A. It ought to.

Q. Did you have letters of recommendation as to your ability and as to your character and so on?—A. About three months ago I received information that a strike was about to be brought on and took the precaution to get a letter of recommendation.

Q. Did you use this letter of recommendation in connection with your employment?—A. Yes.

Q. That was not sufficient?—A. That was not sufficient.

Q. Can you get us your letter of recommendation ?—A. I have it here.

(Copy handed in, marked Exhibit 51. Read by Mr. Bird.)

CANADIAN PACIFIC RAILWAY COMPANY,
VANCOUVER STATION,
January 10, 1903.

To whom it may concern :

This is to certify that the bearer, W. H. Browne, has worked in the freight office of the C.P.Ry. for the last twelve years and is a competent clerk and is steady and reliable.

Yours truly,

(Sgd.) J. MCCREERY,
Agent.

By Mr. Davis :

Q. Why did you get that letter of recommendation?—A. Because various things had gone to show that something was going to happen, and I took the precaution.

By Mr. Bird :

Q. By the way, had you ever been a striker before?—A. No

By His Lordship :

Q. When you asked for that didn't it seem curious that the man should give it to you?—A. I told him the company were premeditating to bring on trouble and I wanted to be prepared.

By Mr. Rowe :

Q. Who did you say that to ?—A. To McCreery, the agent. In ordinary conversation with the men at various times. One young man brought out from Nelson said the C.P.R. told him to call around in March, that they were going to give him a job. Another gentleman told me he was going to get a position in the freight office. I said, there is nothing there. He said, my brother is going to get one in March. It is an unusual thing to get an advance of $10 and one of the clerks wanted to get an advance, and the agent told him he would give him a position with the $10 in March. Everything pointed to March, so I knew we were going to get a shaking up and for this reason I went after a letter of recommendation.

By Mr. Davis:

Q. We have heard a good deal from unions about scabs. A man who took the place of you men who went out would of course be a scab?—A. Under that heading I suppose he would, taking the place of a striker.

Q. Would you go back and work with these men supposing this strike were over?—A. I don't know about that. There is always provision made in a strike for this kind of people.

Q. Would you go back to work with them?—A. I suppose I would have to work with them if I had to go back to my position.

Q. Would you be willing to go back and work in company with these men who had been willing to work in your place?—A. I would rather they would——

Q. Would you or would you not?—A. No.

Q. Would you go back and work with a number of these men who had taken positions formerly occupied by strikers?—A. I suppose they would have been whitewashed some way or other.

Q. Answer the question?—A. Well, I would go back if the rest did; I would not go back alone.

By His Lordship:

Q. You don't approve of the unfair list?—A. I don't know much about it.

Q. You know the object of it; for instance, a grocer is put on the unfair list?—A. Yes, it is not to patronize him, or something like that.

Q. Well, the grocer may have children depending upon him for a living?—A. Yes, I suppose so.

Q. Why is it unfair that the C.P.R. should have a blacklist and the union have theirs?—A. Not if it didn't strike home, I guess.

Q. All depends on whose ox is gored.

GEORGE H. SMITH, sworn :

By His Lordship:

Q. You are the Western Union Telegraph agent here?—A. Yes, sir.

Q. You were subpœnaed to produce some documents in connection with matters before the Commission?—A. Yes, I have them.

Q. All of them?—A. As far as I know. It is a difficult matter for me to judge what pertains to the Commission or not. I have brought what I believe are pertaining to matters before the Commission. I object to the production of these telegrams, because telegrams are of a private nature, and I further object on the ground that the summons calls for a list of telegrams from one date to another of all telegrams, some of which might be private and some not.

Q. The subpœna protects you.—A. I will require an order of the court.

Q. The subpœna is a good enough order.—A. I am instructed by my company to ask an order of the court to file with them.

Q. You may keep the subpœna.—A. Why not an order?

Q. The subpœna is better than an order; it is a command of the Crown.—A. I would like to have an order. The regulations of my company require it—that I should have that to file with my report.

Mr. BIRD.—I don't know how far the members of the Commission may be affected by this. It is certainly in the nature of a search warrant.

HIS LORDSHIP.—To a certain extent that is necessary. We don't propose to be put off with part of the facts. We want them all.

Mr. BIRD.—Certainly, as far as I know, the facts will all be brought out. Do I understand these documents will be for the perusal of the Commission alone?

HIS LORDSHIP.—The Commission will go through the documents and if there is anything in them that we think ought to be made public we will make them public. We will look through them first.

Mr. BIRD.—I understand that the C.P.R will not be allowed to inspect these documents that the Commission desire.

HIS LORDSHIP.—They will have no right to access to them neither.

Mr. BIRD.—Might I ask if the Commissioners have decided upon the documents for which privilege is claimed?

HIS LORDSHIP.—No, we have not.

Mr. BIRD.—There are many matters I would like to bring forth had I access to these documents. The existence of certain documents I am not aware of. If I am allowed a search warrant in connection with the C.P.R. papers I can soon find what I want.

HIS LORDSHIP.—We will look through them first.

Q. Have you got those telegrams ?—A. I have not yet received a copy of the order.

Q. You will get the order. (Documents put in—Exhibit 52).

M. T. QUIGLEY, sworn.

By His Lordship :

Q. You are the agent of the Canadian Pacific Telegraph Company here?—A. Yes.

Q. You have been subpœnaed to produce all documents relating to the matters in question before this Commission?—A. Telegrams, yes.

Q. Have you got them?—A. I have as many as I have been able to get. I am afraid the task set out for me is rather a large one. I have not been able to give more than about a third of it. I have not had time yet. It is a physical impossibility to do so with the time at my disposal.

Q. How long would it take you?—A. Our business runs about 1,000 telegrams a day, and it will take from forty minutes to an hour for each day. I am asked to give from four months—180 hours.

Q. If you require any assistants the Commission will provide them and pay the expense?—A. I have been doing it alone. Although I have several clerks in the office I did not think I should make them responsible for going through them. I have managed to get as far as March 4 by throwing everything aside and doing a little hard work.

Q. Up to March 4?—A. Yes.

(Telegrams put in—Exhibit 53.)

Q. You can arrange with Mr. King in the meantime?—A. All right.

Q. If you want a receipt for these you can have it?—A. Yes, I would like to have one.

Mr. BIRD.—I presume these telegrams will all have to be proven. They are not intended to be proven.

HIS LORDSHIP.—Do you insist on technical proof of all these telegrams?

Mr. BIRD.—I must say that some of them I don't know anything about. Of course I understand the large jurisdiction of the Commission, sitting in the way you gentlemen are; but certainly I never saw telegrams put in in this way.

HIS LORDSHIP.—It is this way, Mr. Bird: The Commission propose to go through this material themselves and if they find any telegrams that will throw light on any subject before this Commission the Commission will notify both parties. You seem to be labouring under the misapprehension that we are investigating purely as between you and the C.P.R. We are here in the interests of the public and not in the interests of the U.B.R.E. or the C.P.R.

Mr. BIRD.—I can understand that, but I find that in trying to prepare this case I am labouring under great difficulties in getting production from the C.P.R..

HIS LORDSHIP.—Any evidence we find in these documents which may affect your case for good or evil we are quite content to have them produced.

Mr. BIRD.—I have asked several days ago in regard to documents. I asked for special service reports, and I want particularly the communications between an ex-member of the U.B.R.E., a man named Barron, and the secret service reports from a man named Leslie, also of the U.B.R.E. I ask for communications from Seattle. I would like the production of secret service reports from Montreal. I want every record book kept in Montreal which has a blacklist, in other words. It contains a history of each employee of the Canadian Pacific Railway for three years prior to entering the service and during the whole of his service. I want assistance in getting these documents——

Mr. DAVIS.—You had better let us have a list.

HIS LORDSHIP.—Yes, let us have a list.

Mr. DAVIS.—The secret service reports are among the bundle.

Mr. BIRD.—I will try and have a list ready to-night, or by to-morrow morning at the latest.

Mr. ROWE.—Can you name the dates of the secret service reports?

Mr. BIRD.—I can give as much as that subpœna states.

HIS LORDSHIP.—Just give us a list of these.

Mr. BIRD.—I understand there was a daily report from each special service detective in the service of the company during that whole time, and there were nearly 30 special men—during the course of the strike and prior to the strike.

Mr. DAVIS.—In that connection, I would like to have all the documents in the possession of Mr. Estes. If Mr. Estes is not able to get here, his documents can be got here, and as yet we have had no communications between Mr. Estes. There are one or two documents referred to, but they are of a public nature. And in connection with getting Mr. Estes here, I have asked Mr. Bodwell if Mr. Dunsmuir would undertake not to prosecute Mr. Estes criminally in case he came back, if Mr. Estes did not wish to come and take chances. Mr. Bodwell told me he would see Mr. Dunsmuir, and went to Victoria for the purpose of getting that undertaking, and he wires me Mr. Dunsmuir tells him to say that no prosecution will be taken against Estes, if he returns to give evidence before the Commission. So that, I think, all obstructions have been removed.

(Telegram from Mr. Bodwell to Mr. Davis put in as Exhibit 54.)

Mr. BIRD.—I do not know how far that undertaking would give protection to Mr. Estes, if the technical wording of the telegram is to be looked at; it is no undertaking whatever.

HIS LORDSHIP.—What has Mr. Estes to be afraid of?

Mr. BIRD.—Mr. Estes is afraid that one or other of these corporations will take some action against him for the purpose of harassing the men here.

HIS LORDSHIP.—Does he want to leave the men in the lurch here?

Mr. BIRD.—No. Mr. Estes was here up to ten days before this Commission commenced sitting here.

HIS LORDSHIP.—He was not being prosecuted then?

Mr. BIRD.—No, he has fear of being harassed similarly to the manner he was in Victoria, and being put to expense such as it cost him there at a time when the funds of the U.B.R.E. needed to be husbanded, instead of squandered. I have a telegram from Mr. Estes that he will be here to support the U.B.R.E. case the minute he can get away. I don't know how soon that will be, but I really believe that Mr. Estes desires to go before this Commission, had he no reason to expect harassing prosecutions.

HIS LORDSHIP.—I don't think he need fear anything on that score.

Mr. BIRD.—One knows the power of railway companies, and when they undertake to conduct a prosecution, they don't spare expense, and the harassing of the enemy is a part of their strong plan of operations.

HIS LORDSHIP.—We fully understand that there is a steady war being prosecuted on both sides, and it is our business to find out to what extent these methods are being pursued, and, if necessary, to abate them.

P. G. DENNISON, sworn.

By Mr. Bird:

Q. You are one of the ex-employees of the company?—A. I am.

Q. How long had you, previous to your dismissal, been in the service of the company?—A. Off and on for about ten years.

Q. You are a married man?—A. Yes.

Q. What position did you hold in the union?—A. No position at all; associate member.

Q. What was your employment with the company?—A. Chief bill clerk.

Q. What was your first connection with unionism on the C.P.R. railway ?—A. Some time prior to last June, a year ago, some of the clerks in the local freight office thought it would be a good idea to have a little local union without affiliation with any other body. The object in forming that organization was to obtain from the local agent some protection in the amount of overtime we had been working, and failing that, to obtain recompense for that overtime. That was our sole object.

Q. Now I want you to explain that. Take up the question of overtime, for instance.

Mr. DAVIS.—(Objects to taking up question of overtime.) I had this morning a list of forty different charges of overtime put in my hands. I immediately handed this over to the company to have these looked into. It is absolutely impossible to have these looked into immediately.

Mr. BIRD.—I will only take up clause 15.

HIS LORDSHIP.—Will you look through that list, Mr. Davis, and see if there are any that you can go on with ?

Mr. DAVIS.—I understand there is a lot of other evidence and that that could be gone on with now.

Mr. BIRD.—Mr. Dennison is one of the men who knows the foundation of the strike and its causes from the beginning, and he is a man who can give a great deal of information from start to finish. I have held him off. He is one of the chief witnesses for the present time.

HIS LORDSHIP.—It does not inconvenience him to have his evidence postponed ?

Mr. BIRD.—I think it would take a whole day to get his evidence.

HIS LORDSHIP.—Is there some general witness ?

Mr. DAVIS.—If my learned friend wants to go on we can go on, and we will look it up afterwards.

HIS LORDSHIP.—You say Mr. Dennison is not an officer of the union and yet he is cognizant of everything ?

Mr. BIRD.—Yes, he is cognizant of everything. He has been acting by courtesy as a member of the executive, although not a member, and in that way many things have come within his knowledge.

Q. Will you explain what the conditions of your employment were prior to your forming this local freight union ?—A. At that time my salary was $60 a month. I had charge of the billing which consisted of forwarding freight, that is, making the invoices which accompany the freight. My staff at that time consisted of two night billers besides myself. I was on in the day time. It was necessary to work a good deal of overtime. On the arrival of the boats from Australia or China I have had to work as much as 28 or 30 hours without any interval except for lunch which I generally carried with me.

Q. Was that at a stretch, without any sleep ?—A. Oh, yes. On several occasions I tried to have that condition changed to make it more satisfactory to me, and to give more satisfaction to everybody, for the reason that if a man has sufficient rest he can do his work properly. I always maintained that a man who works for 28 or 30 hours at a stretch was totally unable to handle responsible work, and the company was always making a man who does this work responsible for any mistakes he made. I had been to the agent on a great many occasions with the idea of trying to get additional help. I maintained that had I one or two men I would be able to carry on the work with satisfaction to the company and comparative ease to myself, being sure of doing accurate work. I was told that it was impossible to give more help, that the superintendent would not allow it—Mr. Beasley.

Q. When was this ?—A. Prior to June of last year. This condition of affairs kept up and gradually became worse inasmuch as the cargoes from the Orient were

becoming heavier all the time, and work at the general freight office had been going to the local freight office. A slight change was made in the amount of help given to me. A man was put on to help me for three or four hours at a time, but there was not enough difference to counterbalance the additional work. I continually kicked about it for the reason that I was not able to do the work satisfactorily. However, it was impossible to get the help and we dragged along as it was.

(Mr. Bird asks for production of appearance book.)

By Mr. Bird:

Q. Was this the usual thing, this working for these long stretches when the *Empress* boats were in?—A. Yes, at this time it was usual for those connected with the billing desk to have the long hours.

Q. So that this was not just one individual instance?—A. No, that was customary on the arrival of the Oriental cargoes. They would arrive every week or ten days.

Q. And the Australian steamers?—A. The Australian steamers didn't amount to very much. About ten hours overtime fixed that.

Q. What would your overtime average during the month?—A. I figured it up for months at a time and it averaged 30 hours a week. That is about 5 hours a day overtime counting Sundays.

By His Lordship:

Q. For how long have you been in the service?—A. Eighteen months at that work.

Q. You have asked for assistance or shorter hours?—A. I have asked for assistance in preference, and failing that I have asked for pay for the overtime worked.

Q. What were these hours?—A. From 8.30 in the morning until 18.00 o'clock. An hour off at noon.

By Mr. Bird:

Q. Now, I would like you to inform the Commissioners as to what time that extends over, and show them as well as you can, what your time amounted to, where there is any note of it (producing clearance book.)—A. This book commences on November 19 last, and goes up to February 27, the day I left the freight office.

Q. What does it show?—A. It is the appearance book. The object of this book is to have a record of the attendance at the office of every man employed at the department, showing the hour he comes and the hour he leaves.

Q. Who keeps it?—A. Every individual as they report for duty and from duty, notes the time and the name in this book, and it is revised by the time-keeper. In my opinion the only reason that book is kept now is that the agent may know which of the staff attend to their duties or not. He can come out to the book and find out if a man is around or not. He is out a good deal of his time.

By Mr. Rowe:

Q. There does not seem to be any mention of the hours worked?—A. There are only a few instances there.

By Mr. Bird:

Q. Why does it not appear in every case?—A. As far as my case is concerned I noted the time when I left the office and the time I arrived. My object in doing that would be that the agent would know I would not be around the next morning.

Q. You noted that you had worked late. You would enter the time so that he might not expect you down early?—A. Yes, I had a great deal of dealings with the agent, and he could find out by going to that book whether I would be there or not.

By His Lordship:

Q. Did you enter in this book when you worked overtime?—A. When the agent came in in the morning then I did not bother entering it, because I had a conversation with him. Sometimes I got away before he reported, and in entering the time there I did so with the object of enabling him to ascertain whether I would be down that morning at a later hour.

Q. You went over that book the other day when we had the production of it from Mr. Beasley and you took out extracts did you, Mr. Dennison?—A. Yes.

Q. Just explain this date (indicating) what hours you worked overtime—that is a memorandum you personally made from the books, is it not?—A. On December 10 last, I went to work at five minutes after eight in the morning, left at eight o'clock next morning, had my breakfast and came back again.

Q. And worked that whole day?—A. Yes.

Q. That would show how long a day at a stretch?—A. It would show 32 hours, but of course out of that there has been at least two hours for meals.

Q. That is the period during which you were working and supposed to be attentive to duty?—A. Yes.

Q. Are there any other instances?—A. Yes, they run something the same. Here is another one: December 30, 8.30 in the morning to 2.30 the following morning. On December 31, from 13 o'clock to 5 o'clock——

Q. Five o'clock in the morning of New Year's Day?—A. Yes. Then I came down at 8 o'clock the following morning on January 2 and left there at 18 o'clock. Here is January 8, from 8.30 in the morning to 5 o'clock the following morning.

(Statement of time of certain employees put in as Exhibit 55.)

Q. Do you mean to tell us that this was compulsory work?—A. Oh yes, certainly compulsory.

Q. In your conversations, when you would lay your protest before the officers of the company had they no knowledge of these facts?—A. They certainly had. I took good occasion to give them the information.

Q. Do you remember any particular occasion when this matter was brought specially to Mr. Beasley's attention?—A. Yes, I recollect on one occasion that I saw him in connection with an increase, and I pointed out the amount of overtime, and I was informed at that time that the man who was there before me had the same amount of overtime and that the man who came after would have the same.

Q. What about your Sundays—you had them to yourself?—A. I cannot recollect any Sunday that I had fully to myself. Sunday was generally a very busy day for the reason that the *Empress* came in on Wednesday morning, and their cargo was loaded and completed Saturday night, with the consequence that the billing clerks were there until 6 or 8 o'clock Sunday morning, and we liked to sleep the balance of the time to get square. The *Tartar* and *Athenaeum* have arrived on Saturdays which necessitated working on Sundays. I have taken 30 hours a week, and it will run that way over a whole year. There is another reason probably for so much overtime and that is that during the past year for instance it has been necessary for me to break in four or five new billing clerks and I have to be there in the day time and do my own work and at night to post them. They no sooner would get posted than they would leave the service.

By Mr Rowe:

Q. How did that happen?—A. The miserable amount of salary paid and the long hours.

Mr. BIRD.—I would ask my learned friend to produce the statement of wages paid on the Pacific Coast. It is produced in his affidavit on production. It is No. 12 I think, and No. 106.

Q. How do you say the rates paid to the C.P.R. employees compare with railways on the Pacific Coast—railways of similar importance?—A. From information which I have gathered from time to time I think we are 30 or 50 per cent lower on the C.P.R. than on competitive roads; roads that handle goods at the same terminus and to the same destination.

Q. What particular time are you speaking of?—A. Take the present time, if the rates have not been changed at the local freight office.

Q. It would include the present unless there has been a change since you left?—A. Yes.

Q. Among other information furnished you these are data prepared for the use of the Brotherhood?—A. Yes, sir.

Mr. BIRD.—I will file a statement showing schedule of rates paid at Vancouver and at Portland.

Mr. DAVIS.—Had you better not leave that until a man who can prove it is in the box?

HIS LORDSHIP.—If you undertake to prove it it will be all right.

Mr. BIRD.—Yes, Mr. Hamilton will prove it. I think it is fully corroborated by the statement my learned friend has.

(Exhibit 56.)

(C.P.R. statement put in as Exhibit 57.)

Q. Referring back to the organization of freight clerks you say—just give us a history of that organization, and how it was transferred ultimately to the members of the U.B.R.E.?—A. Early in June of last year we had perfected an organization consisting of the local freight office staff, some 25 in number, with the object of bettering our conditions as far as overtime was concerned. At that time the advisability of amalgamating with the freight handlers, who already had a union, was discussed, but owing to slight objection on the part of the freight handlers, who did not wish, evidently, to get tangled up with a poor gang of men such as the clerks were, that proposition fell through. They said we wore paper collars and that sort of thing. It was necessary for the clerks to protect themselves and affiliate with some body of men who would be strong enough to take care of them. We learned at this time also that the U.B.R.E. had a number of members in Winnipeg, and some of us being acquainted with some of the officers there we communicated with Winnipeg and ascertained that Mr. George Estes, the president, was in Chicago, but that our wish for amalgamation had been forwarded to him and he had replied stating he would come through on his way to San Francisco that month. He arrived here on the 14th June, 1902, at which time fourteen of the clerks of the local freight office joined the U. B. R. E. By doing so we were under the impression that we strengthened our position and at the same time we were joining an organization which already had a strong foothold on the C.P.R. and it was our expectation and hope that before many months had gone by to spread the organization between Vancouver and Winnipeg, thus forming a strong organization or the basis for one at any rate.

Q. This organization that was formed among the clerks—you had no charter, had you, from any local organization?—A. No, no outside affiliation at all—simply a local union.

Q. Did you present demands?—A. We did, about the 30th June; we went to the company and asked for 20 per cent increase in salary.

By Mr. Rowe:

Q. That was after your affiliation?—A. We were affiliated then.

find

By Mr. Bird:

Q. Was this the U.B.R.E. that made the demand, or just the men in the freight office?—A. Just the men in the freight office.

Q. The U.B.R.E. were not behind this demand?—A. Not at all.

Q. It was just your original organization, the freight clerks in the freight office?—A. That is all.

Q. Did you talk the matter over with your immediate superiors before making any proposition?—A. Yes, we had meetings; the result was, that we made a united demand. We did not send it by committee. Every man in the office made a round-robin. That was presented to the agent, Mr. McCreery.

Q. Did you have any interview with the general superintendent in regard to the matter?

Q. Tell us shortly what was said by Mr. Marpole in regard to this demand?—A. After we got a conference with Mr. Marpole—we didn't get to him for a day or two—he told us it was preposterous that we should ask for such an increase as 20 per cent, that he could not think of granting that. He subsequently told us if we insisted on the full amount asked for, he would grant it; but he said, if you hold a pistol to my head, I will give it to you, but that the time would come when we would have to pay for it. We told Mr. Marpole that we represented the balance of the men, that we were asking 20 per cent, and we thought we would have to have it, but if he could not grant it, we would go back and tell the men what was done. The committee was instructed to go back to Mr. Marpole and find out what he would do. Mr. Marpole told us to leave it to the arbitration of a business man.

Q. Who was to name the business man?—A. I suppose they would name him. We thought so. That was dropped, and it was left to the consideration of Mr. Peters, Mr. Curry and Mr. Beasley. They were to meet our committee, go over the pay-roll and figure out the best increase they could give us.

Q. Was the matter of the overtime brought to the attention of these gentlemen at this time?—A. I cannot say that it was to Mr. Marpole's attention. It was discussed fully in Mr. Peters' and in Mr. Marpole's office. We simply dealt with the 20 per cent demand. The outcome was that we got approximately 13 per cent, some men got 25 where others got 5; but Mr. Marpole had threatened us to a certain extent, and we knew that we were not prepared to insist on the 20 per cent unless we were prepared to quit the company's service, and we went back to the other men and managed to have it explained.

Q. What did Mr. Marpole say at this time?—A. At that time we didn't see Mr. Marpole. We went from him to Mr. Beasley. It was not necessary to go back to him, because Mr. Beasley said he had agreed to 13 per cent and would try and get Mr. Marpole to agree to it. He also said that Mr. Marpole was satisfied and would not make his threat good.

Q. Did you ever have a conversation with Mr. Beasley in regard to the U.B.R.E.?—A. Yes. He has told us that such an organization would not be stood for, that the company would not stand for it at all.

Q. When was the U.B.R.E. started here?—A. June 14, was the date the men joined.

Q. This is your charter (exhibiting it)?—A. That is our charter.

His Lordship.—You might put in a copy.

By Mr. Bird:

Q. Signed on June 24?—A. The reason it is dated June 24 was, that it took 20 members, and we had to wait until we got the other six, and it was June 24 then.

Q. What is the black emblem for?—A. That is to commemorate the murder of Frank Rogers.

By His Lordship:

Q. Just at that point, do you ever put emblems on charters when anyone is killed through the fault of the union?—A. As far as I can understand, there has never been an instance. The C.P.R. prosecuted a number of our men, and they never proved a conviction. Until the law proves a man guilty, he is innocent. I say, as far as our executive has been concerned, the strike has been conducted perfectly. There has been no violence on our part; I cannot recall one instance.

Q. I may say that I know of my own knowledge that a considerable number of complaints have been made by men who have alleged that they were attacked by strikers and showed it on their persons. The only trouble was the identity could not be discovered.—A. You must remember that the C.P.R. had brought in some 30 or 40 of the riffraff of the Sound cities. One of our sympathizers was shot and killed from the C.P.R. property. [Frank Rogers]

By Mr. Bird:

Q. Do you remember interviewing Mr. Marpole as a member of the committee in regard to the discharge of employees in January?—A. Yes, in Mr. Halton's case.

Q. Did Mr. Marpole make any observations in regard to unions at that time?—A. Yes, he said that was the damndest committee he had ever met. He says: I would sooner meet trackmen than this committee. He said, if you want to deal with the company go and organize and then come to the company and see if you receive recognition. He said if he could not recognize it it would go to Montreal.

Q. And you went and organized?—A. Yes.

Q. Was the matter of the U.B.R.E. organization brought to his attention on that occasion?—A. No, I don't think so. We were careful in our dealings to avoid the U.B.R.E.

Q. You were proceeding as a committee of employees and he said that he preferred to deal with a union instead of such a committee?—A. He asked us if we came as a committee of employees or as respecting that hybrid organization, the U.B.R.E.

Q. Did he say in what manner he wanted you to organize?—A. No, that was not stated. We assumed, of course, that we would organize the unorganized men, that it did not matter what the departments were.

Q. Were you an applicant for any position that became vacant under Mr. Peters?—A. I was.

Q. Just tell us about that and anything of interest in regard to it?—A. I think it was last August or September that I applied for a position rendered vacant by a selling freight agent who had left the company's service. I applied for the position and from the conversation with Mr. Peters I was fully led to suppose that I would get the position, but a day or two afterwards he came to me and said that it was impossible to get it on account of the stand I had taken in getting the increase in the local freight office. He said, Mr. Marpole objects to your receiving any promotion for at least a year, and he said, while I am able to promote you to that position it would be over the advice of Mr. Marpole, and it would make them on bad terms; that Mr. Marpole had really nothing to do with the position, but it was his wish that I should not have it, and, therefore, I could not have it.

Q. So you were to be kept as you were without promotion?—A. Yes.

By Mr. Rowe:

Q. Because you were asking for increases in July?—A. That was the reason given.

By Mr. Bird:

Q. Do you come within the class termed officials of the company?—A. No.

P. G. DENNISON—Vancouver, June 8.

Q. Would there be any secrets such as might be of interest to other railways doing business in Vancouver, come under your notice?—A. Yes, I am fully aware of arrangements that should not be known by competing lines, but I don't think I should mention them; I don't think it is necessary.

Q. Would your oath to the U.B.R.E. demand that they should be made known to the lodge if it was of interest to them?—A. Certainly not. That would be sufficient reason to expel me from the organization.

Q. You would be betraying the secrets entrusted to you as an employee of the company?—A. Yes.

Q. Had you any conversation with any officers of the company with regard to the previous attitude of the C.P.R. in regard to the U.B.R.E.?—A. Yes, on February 26 and 25 I had conversations with two officials of the company.

Q. Just before the strike?—A. Yes.

Q. Did they state the attitude of the company towards the U.B.R.E.?—A. One of the officials of the company told me Mr. Marpole had prepared his forces and was prepared to fight us, Mr. W. O. Miller, car service agent and Mr. J. McCreery, freight agent. Miller said that Marpole had prepared his forces to fight us and that we had absolutely no chance to win. He also advised me to withdraw from the organization. Of course that was impossible at that time.

Q. When you were working these long over-hours that you have told us of, did any matter ever come up that required you to be censured or dealt with in a manner that would teach you a lesson in connection with your service?—A. Only one instance that I can recall. I had made a slight mistake in my work which was incidental in costing the company about $28 I think. I was billing a car of shingles to a point in the United States named New Canen, Connecticut, and in doing so I billed it Canen. That night I was working 18 hours and the day before. I billed the car to Canen, and it had to be switched to New Canen, the switching companies charging the company $28. Instructions came back to charge it up to the billing clerk at fault. I have some copies of some of the documents. The agent came to me and told me I would have to pay this $28. I told him I would quit first. He said he would try and get it commuted and reduced to a smaller amount. It ultimately ended up by my being fined $10. The word fine is used in the correspondence by the officials. I told them I would not put up with any such nonsense, that my amount of overtime should entitle me to consideration. It had no effect. Mr. Peters told Mr. Beasley that if an employee was loyal to the company a mistake of this kind should be overlooked, but if he was not loyal a little discipline was a good thing. So I got the discipline. That came about 40 days after the interview in the freight office.

Q. It came before the U.B.R.E.?—A. Yes. It was deducted in September, but the correspondence came to me in August. The error had been made about six or seven months before.

Q. And that is the slip you made. In these letters——?—A. Take Mr. Peters' letter. It is a good letter and will show just how the company looks at these things. I asked for a receipt for the $10 and it was refused.

By Mr Davis:

Q. It was deducted from your salary?—A. Yes, it was deducted from my salary.

By His Lordship:

Q. You got a decrease?—A. Yes.

Q. Where did you get these copies. Are the letter press copies?—A. It is taken from the original correspondence. As a rule railway service they don't put their correspondence through a letter book; they use carbon copies. The file of correspondence was given me by the agent in order that I might keep copies.

(File of correspondence put in as Exhibit 58.)

By Mr. Bird :

Q. Then it appears to you that the fact of your having made a demand as one of a committee of employees for an increase in wages of recognition, that you were not properly paid or properly treated, was the reason you were disloyal to the company ?—A. That is the way I considered it.

Q. You were a member of the committee that saw Mr. Marpole in regard to Halton?—A. I was.

Q. Do you know anything about the circumstances leading up to Mr. Halton's case?—A. Yes, I am fully aware, I believe. The company sent a man down to Seattle and other Sound cities on some kind of reason. We intended to find out what that reason was. We had advice from a friend down there stating this man was arranging to engage men; that he was covering his tracks by pretending to get a record of the rates paid in the Sound cities. It became necessary for us to be sure of that information. We wanted to know if they were getting men to take our places. In order to be exactly right we decided to send someone down, and in arranging that we looked about for a man to send and decided on another man I believe, but something turned up and he did not go and Mr. Halton, being our business agent took it in hand to either go himself or get some competent man to go. In any event he got a day's leave of absence from the head of his department. When he got that leave of absence he went away, and the company state he went away to Seattle to either dog the steps of this man they sent down or have someone else do it, but he was discharged for absenting himself from his office without leave. We knew he had left because his chief clerk gave us the information. Therefore we were satisfied we could convince Mr. Marpole that a mistake could be made. We were under the impression that his assistant Mr. Townley had misrepresented the case. We thought we could explain matters fully with the assistance of Mr Halton, and have Mr. Marpole admit that he was mistaken. I think we did that, because Mr. Halton was reinstated.

By Mr. Rowe:

Q. Could you explain where Mr. Halton was?—A. I believe he was at Seattle. I am not personally acquainted with the fact.

Q. What was the error in the information? In what way did you think Mr. Marpole was wrong?—A. We understood that Mr. Marpole thought that Mr. Halton had absented himself from his office without permission.

By Mr. Bird:

Q. Do you know anything about any men having been brought in about that time, and from where they came?—A. Yes, we had information brought to us that 25 men, I believe it was, were coming up on the Seattle boat, the *Mainlander,* the night of the 27th, and we proved that to be true.

Q. Were no men brought from the east ?—A. Yes, 37 men were brought here, arriving on Saturday afternoon. We struck on Friday.

Q. Where did they come from?—A. Some of them whom we managed to interview came from Montreal, stating they had been engaged there for two or three weeks prior to coming.

Q. So that this information you got from Mr. McCreery and Mr. Miller would appear to have been corroborated, that the men had been engaged in Montreal and elsewhere when there was really no strike?—A. That was the case. They had it made up for men to come on March 1.

Q. How do you know that?—A. That information came to us. We had to buy it, and I don't like to give it away. In fact, I am not in a position to give it away. I can state that one man in the east sent us full particulars.

Q. Do you know anything about unionism in general and the number of unions in the C.P.R.?—A. I am aware that all employees of the C.P.R., with the exception

of the clerks and freight handlers, and probably the station baggagemen, are members of international organizations recognized by the C.P.R. management.

Q. Have they attained that high honour without a strike?—A. No, you have to have a strike before you will be recognized. That is generally the history of all organizations, as far as I know. The company would not be prepared to recognize them unless they knew their strength, and they only know that by a strike.

Q. And so this getting one-half or two-thirds in all classes—that condition of affairs is only recognized after a fight?—A. When you get a schedule, you are bound to have two-thirds, because the men would hardly share in the benefit and not support, so, as a rule, 99 per cent of the men will join the organization, on account of the compensation which they expect to receive.

By His Lordship:

Q. Why do you suggest that the C.P.R. drew the line at your organization?—A. Because it is not a class organization. That is the simple reason, I believe.

By Mr. Rowe:

Q. Did you ever ask for a schedule when you had your local union?—A. We asked for a revision. We did ask for a schedule, yes, and we were refused. We were told before answering that to go back to work and Mr. Beasley would look into matters.

By Mr. Davis:

Q. That is the U.B.R.E.?—A. No, they never asked for anything.

By Mr. Rowe:

Q. That was when?—A. July 1, 1902, when we asked for the increase of 20 per cent. We asked them to sign that at that time. We thought, if a change of officers were made, if it was signed, we would be in a position to insist on it.

Q. You wanted this arrangement incorporated in a written agreement?—A. We drew it up and presented it.

Q. As a matter of fact, you were members of the U.B.R.E. then?—A. Yes, we had been for ten days, but we didn't go in that capacity.

Q. Had you any reason to suspect that the management would object to that organization?—A. We had an idea that we got from certain people, that they might object to us taking in three or four classes, because our scope was large, and we could form an organization which would be a very powerful one.

By Mr. Bird:

Q. What is the foundation for the statement that the U.B.R.E. is composed of revolutionary socialists?—A. That is a dream of somebody's.

Mr. Davis has dreamed it——

By Mr. Davis:

Q. Estes seems to have had a nightmare of that sort, too?—A. It is nothing but a dream.

By Mr. Bird:

Q. Are you a socialist?—A. You will have to define the term, before I can answer that.

Q. You have been publishing a strike bulletin through the pages of the 'Western Clarion'?—A. Yes.

Q. Have you any connection with that paper other than this?—A. No; we had a strike bulletin which we published separately, but we found that we did not have the facilities for mailing it, and we thought if we could have it mailed to outside points at regular mailing rates we would gain an advantage. We cast about for some way of

doing that and we decided to take the 'Western Clarion.' We thought that would be a good medium. They had some 3,500 names on their mailing list, and we thought that we could get our paper printed.

Q. Their subscription list is chiefly among the working classes of people ?—A. Among the labouring classes. We decided if we could get our paper mailed or printed with theirs that we would reach additional readers. As it was we had some 3,000 or 4,000.

By Mr. Rowe :

Q. Have you got a copy of the constitution of the American Labour Union ?—A. Our union has.

(Copy of constitution filed as Exhibit 59.)

By Mr. Davis :

Q. The U.B.R.E. are affiliated with this body ?—A. At the head office, yes.

By Mr. Bird :

Q. At the time you left work on February 27, were you affiliated with the American Labour Union ?—A. No, we were not. That did not come for at least six weeks later, may be two months.

Q. So as far as the local here is concerned, had they anything to do with affiliation ?—A. We knew nothing until we got our regular mail advice.

By Mr. Rowe :

Q. I understand the American Labour Union has taken up the fight on your behalf ?—A. I hope they have. I have heard it stated from C.P.R. sources that they have declared the C.P.R. unfair from one end to the other.

Q. Is that statement made in any of your papers ?—A. I have never seen it in any.

By Mr. Bird :

Q. Is your organization responsible for some criticism of the Commissioners in the 'Western Clarion' ?—A. There is nothing in the 'Western Clarion' that has anything of the U.B.R.E. except the first three columns on the left-hand side of the front page. We have no editorial space.

Q. As far as you know there is nothing in the way of criticism of the Commissioners authorized by the U.B.R.E. ?—A. No.

By Mr. Davis :

Q. By the way, Mr. Dennison, apropos of that socialism, let me read you a little from the preamble of the constitution of the American Labour Union :—

> 'Believing that the time has come for undivided independent working class political action, we hereby declare in favour of International socialism, and adopt the platform of the socialist party of America in its entirety as the political platform of the American Labour Union, and we earnestly appeal to all members of the American Labour Union and the working class in general, to be governed by these provisions.'

That would look like socialism ?—A. You must produce the platform before you talk about socialism. There is such a thing as revolutionary socialism and evolutionary socialism.

VANCOUVER, June 9, 1903.

Prior to the time set for opening of sittings, counsel on both sides were called into the Commissioners' room to discuss the question of privileged documents. Subsequently their witnesses are also called in and the day was taken up in discussing a settlement.

VANCOUVER, June 10, 1903.

Mr. BIRD.—I regret to have to report that the settlement that was proposed has not yet been accepted by the U.B.R.E.; that the further consideration of the matter had to be postponed until five o'clock this afternoon, on account of the short time necessary to get the men together. I trust that a full representative meeting may be held this evening, and that the matter may be definitely decided, so that the further prosecution, in an effective manner at all events, of this inquiry may be dispensed with.

It has been urged by my learned friend that the American Labour Union is affiliated with the U.B.R.E., and a copy of the constitution has been filed in support of his contention that this body is governed by revolutionary socialists principally. This is not recognized in the constitution, but its sentiments are probably entertained by some of the members of the union, and I think it might safely be admitted that labouring men, particularly in the province of British Columbia, look on revolutionary socialism as some means of gaining freedom which under the present system they are gradually being deprived of by railway and coal companies. I propose, if it meets with Your Honour's wishes, to call a revolutionary socialist or two to explain their views.

HIS LORDSHIP.—I have no doubt that would be the best thing, under the circumstances at all events, someone who will refrain from dealing with the matters in direct issue. We would like to have the other side, too—the trade unionist standpoint.

Mr. BIRD.—I think we will be able to get some information on that point as well.

GEORGE DALES, sworn.

By Mr. Bird:

Q. You are the editor of the 'Western Clarion'?—A. I am, yes.

Q. What are your politics, Mr. Dales?—A. I am a socialist.

Q. Have you been connected with other labour papers in Canada?—A. Yes, I was associate editor of the Winnipeg 'Voice' for between five and six years.

Q. And you took the position of editor of the 'Western Clarion' this spring?—A. No, February of this year.

Q. There are socialists who style themselves by different names, are there not?—A. Well, there are parties styling themselves by different names, but I should not agree in the idea that they are socialists.

Q. What do you understand by revolutionary socialism?—A. My conception of socialism is, that it is essentially revolutionary. There can be no intelligent or logical conception of socialism apart from a revolution, inasmuch as it seeks to change the economic structure of society, and the word is used in that sense.

Q. Well, using the word revolution, you don't necessarily refer to such a revolution as would have to resort to arms?—A. Certainly not; the same sense as you would speak of a Democrat, or any other party. In the sense of a complete change of the economic structure of society.

Q. It has no particular significance referring to revolution, such as the French revolution?—A. Certainly not. That was only a partial revolution, anyway. Of course, that was advancing society by a stage, but it was only between two particular classes, not between the people.

Q. You say that that revolution put the reins of government into the power of the middle classes?—A. Into the hands of a class who now wield it—the middle class.

Q. So far as English society is concerned, has there been a similar revolution accomplished without resort to arms?—A. To a greater or less extent. It is common to all changes to society that there shall be more or less violence, but the word revolution in connection with socialism is not used in that sense, though it does not necessarily exclude it. We have to take our changes in the evolution of events.

Q. Do you distinguish between evolutionary and revolutionary socialism?—A. To my mind, it is a confusion of terms altogether, seeing that socialism anticipates such a sweeping and complete change. The revolution contemplated by socialism rounds off a period in history.

Q. Evolution you claim to be in effect and force?—A. Evolution, certainly; we must conceive that from the conclusions of science.

Q. When do you say that modern socialism had its rise?—A. About the middle of last century, that is, in contradistinction from Utopian socialism, which occupied the mind of the public in the previous century.

Q. Emanating from what particular source did modern socialism arise?—A. Speaking nationally, largely from a German source. Marx Engels and La Salle are regarded as classic authors of modern socialism. Marx is regarded as the founder, above all other men, of socialism.

Q. As a matter of fact all his data refers mostly to British industry?—A. Yes, he took his inspiration from the fact that England was more capitalistically advanced. It furnished the best data for forming his conclusions.

Q. Taking socialism as contradistinguished from capitalism, is there any line of interest or is there a necessary conflict between these two?—A. It is very apparent, both from study and experience, that there is an antagonism that can never be overcome or included in a united interest, that is between capitalists and workers. Socialism divides society into two classes.

Q. You say there is no unity between these two?—A. Only a partial unity, an exceptional one maybe but not a necessary one

Q. So far as a capitalist or employer of labour is concerned his interests are opposed to labour?—A. Necessarily an underhanging antagonizing influence.

Q. As far as labour is concerned it is dealt with merely as a commodity by capitalists?—A. Yes, labour has been reduced absolutely to a commodity, as can be easily proved.

Q. Is labour the creator of all wealth?—A. That is our stand, and I believe the only one, unless someone can suggest some other source of wealth.

Q. Then apparently the creations of labour have become more powerful than the labour?—A. Yes, the tools of production in the hands of capitalists control the labour, as was not the case under the handicraft system.

Q. There was a time before the introduction of steam and electricity when men controlled their own implements of manufacture?—A. Yes.

Q. And what would you say as to the tendency of modern trusts and combines?—A. To more completely enslave labour by absorbing the greater amount of the products of labour.

GEORGE DALES—Vancouver, June 10.

Q. What is the position with relation to capital and labour to-day?—A. The position to-day, as we have abundant evidence, is antagonistic. We have strikes practically everywhere.

Q. In what relation does the trade union stand between labour and capital?—A. As a kind of bluffer, growing less effectual.

Q. Are you a trades unionist?—A. No, I never worked at a trade that would entitled me to be a member of a trade union.

Q. You are not a member of the Typographical Union?—A. No, I am not.

Q. What are the main principles of trade unions?—A. Well, the first, of course, is the principle of association. Men on the introduction of machinery and the consequent division of labour—of course we must date all exploitation from the introduction of machinery and the consequent division of labour—exploitation was hardly possible under the old handicraft system. A man controlled his own tools and consequently controlled to a certain extent the result. Under the old guild system there was undoubtedly a unity of interests between the master and the workmen. In most cases the master took but little toll from the production of his journeymen. But on the introduction of machinery and industry on a large scale the field for exploitation naturally opened out, and the workers began to feel the necessity for combination. The present form of trade union, while it is in history connected with the guilds, really occurred with the history of capitalism. Of course it was very naturally passed by a clause in the legislature in the early part of the last century. It was hardly settled until about the third decade of the last century.

Q. According to your statement trade unionism officiates in an intermediate capacity between the capitalist system and some system towards which you are looking?—A. Operating entirely in the realm of industry, it becomes less and less effectual as capitalism gets an increasing control over political and other institutions.

Q. Take for instance our own province, what do you say about political conditions in this province?—A. I am a comparatively new citizen of this province, and I think I have had some opportunity for observation, and conditions here are a little more advanced, inasmuch as capitalism is further advanced and somewhat different from central Canada. I find here what I would expect to find, greater antagonism between capital and labour.

Q. And you mean because capital is further developed?—A. Yes, I mean that the staple industries of this province such as mining, lumbering and fishing, are almost exclusively controlled by the capitalist class. There is nothing in any middle class such as we have in central Canada, little farmers and so on.

Q. And that is why you account for the condition of labour in British Columbia?—A. That is how I account for it according to the theory of socialism. There is necessarily some of that owing to the form of industry.

Q. Do you think that trade unionism offers any substantial remedy for the present condition of affairs?—A. I think its possibilities are practically limited, inasmuch as trade unions think that social justice can be established within the limits of the wage system, an idea that is exploded altogether by advanced sociologists seeing that capital absorbs the ever-increasing production of the products of labour.

Q. What is your contention as to the products of labour—that these products are not properly distributed to-day?—A. Certainly not. According to one of our doctrines, we believe that the product belongs to the producer, and that the capitalist is becoming more and more detached from the operation of industry, and is now becoming absolutely unnecessary. What I mean is that rent, interest and profit, which is the tripod on which our economic system rests, are not necessary to production. All that is intrinsically necessary is labour and natural production, and it follows that the product belongs to the producers. The capitalist class are distinctly privileged by every law which they themselves have made. It is the result of the domination of the middle class. They are naturally different from the line of any class that had domin-

ation in Europe. There was between them and the classes connected with them a feeling of responsibility. There is nothing but a money connection between the capitalist class, who control, and the producing class—what we call a cash-nexus.

Q. You say the present system has established an aristocracy of money?—A. I don't think any one can dispute that.

Q. It is, practically in the United States?—A. Having control of practically every industry. An aristocracy more odius than ever existed before in human society, to my mind.

Q. Is there any tendency among unions to advance in the direction of political action?—A. Yes, it is indicated on every side, both in America and Europe, particularly in the case of the Western Federation of Miners and the American Labour Union. They have avowed themselves in favour of strenuous political action.

Q. They have adopted as a political platform what particular political party?—A. The socialist party, necessarily, as a working class party.

Q. What do you say as to the Democratic party in the United States?—A. It is simply another section of the capitalist party, with no essential principle dividing them.

Q. From the Republican party?—A. Yes.

Q. You say as far as it is concerned, it is for what?—A. For plunder. They correspond exactly with our Conservative and Liberal party.

Q. You think the claim of the Liberal party to be a labour party in Canada is not well founded?—A. I think no reasonable person could ever claim that, looking on their actions, and even their professions.

By His Lordship:

Q. There is no party that has the interests of the labour people at heart except the Socialists?—A. Necessarily, inasmuch as there is no party that professes to understand their position or aspirations.

By Mr. Bird:

Q. The Liberal party of the Dominion claim they have passed more legislation in the interest of labour than any political party has attempted before?—A. Yes, but what are the results? Do we find industrial conditions any better for it? Do we find wages raised, except to a limited extent, except to those things directly under the government's control? In the public works, for instance, there has been some little modification of the trouble in that respect.

Q. How does the cost of living compare with the rate of wages paid in regard to the public works?—A. The government only contend for the current rate of wages obtaining in the district in which the work is being carried out—for the union local rate.

Q. Where do you find the most advanced type of unionism; I am just asking you the general question?—A. The most advanced and intelligent kind of unionism would be found in Germany and France, especially in Germany, where the labour movement has, from the beginning been associated with the political movement. The rise of socialism and unionism—that is as to industrial production, are contemporaneous in Germany.

Q. Heretofore in Great Britain, Canada and the United States has unionism been usually associated with political action?—A. Not directly. Of course it is beginning to move now. In the preamble of the constitution many of the unions are enjoined to study politics.

Q. As a matter of fact it has been an established fact that there should be no politics in the unions?—A. That means of more active politics—not to exclude abstract economic and social questions.

Q. Has it not been established as a principle by the Dominion Trades Congress or other recognized bodies of labour men that labour leaders appearing on a public plat-

form in support of either of the capitalist parties as you call them is looked upon with some degree of doubt ?—A. I think so.

Q. What would you say was the fundamental principle underlying that ?—A. Their distrust of the capitalist parties from their previous experience and observation.

Q. The Alien Labour Law—is that a fair sample of capitalist legislation in favour of the labouring classes ?—A. Yes, both of legislative and administrative.

Q. Can you give us a general estimate of that Act as entertained by the labour unions ?—A. I believe the bulk of them regard it with indifference, and a good many with contempt. It has been practically inoperative since it was passed. I have heard it from the lips of men who have been entrusted with its administration who have told me they have been tied by departmental instructions which prevented them doing anything.

By His Lordship :

Q. Do you mean to say the operation of the laws thwarted by the action of government officials ?—A. No, not by government officials, but I believe they are so trammelled by instructions that it is impossible to make it effective.

Q. But the law can be set in motion by any man affected by it ?—A. It is not easy for the labour men to do. If there had been any real desire to help the men the department itself would have enforced it.

Q. It is an Act for the benefit of trade unions—surely they should take the trouble of seeing it enforced ?—A. If it is passed for the benefit of trade unions its administration should be administrated by the department.

Q. If you get attacked on the street there is no government official bound to take up your case. You go to a police magistrate and lay information. Why should you not lay information when there is a violation of the Alien Labour Law ?—A. I am not well acquainted with the rules that govern that particular law, but I understand from persons who have known something of it that it is very ineffective.

Mr. Bird.—I desire to file some correspondence between Charles Wilson, K. C., written for the U.B.R.E., to Sir Charles Tupper in an attempt to get the Alien Labour Act enforced. The effect of the correspondence is that Mr. Wilson advised the U. B. R.E. that the whole Act is practically a dead letter and advising them to give up any attempt, that there are not in a position, financially or otherwise, to enforce the Act.

(Letter, Chas. Wilson, K.C., to F. J. Halton, and Sir Charles Tupper to Chas. Wilson, put in as Exhibits numbered 60 and 61 respectively.)

His Lordship.—Are you sure that Sir Charles Tupper saw the Minister of Labour?

Mr. Bird.—I have only the correspondence.

His Lordship.—I cannot see how that can be admissable. If you could show us some correspondence between Mr. Wilson and the Minister of Labour it would be different, but not as to correspondence between two unofficial persons without showing that there has been some correspondence between official persons. Why not show us that Sir Charles Tupper has interviewed the Minister or some member of the government. Perhaps Mr. King can tell us ?

Mr. King.—I know as a matter of fact that the Department of Labour has never been appealed to. If an appeal had been made the department would have replied that an action could be taken by the parties themselves. The law was amended in that form in order to that action from Ottawa would be unnecessary, and it is so. I know, as a matter of fact, that no communication has come in regard to the Alien Labour Law in conection with this matter. The correspondence, I think, does not mention the Minister of Labour but the Solicitor-General, if am rightly informed.

By Mr. Bird :

Q. What effect would the affiliation between the U.B.R.E. and the American Labour Union have upon the former organization?—A. The effect upon the U.B.R.E.?

Well, in the first place it would naturally strengthen them by being affiliated with a large and progressive body of workers—strengthen them financially and benefit them all round.

Q. Would the members of one organization, necessarily, by affiliating be pledged to one another ?—A. You mean by having in the preamble the socialist policy ?

Q. Yes ?—A. No, I don't think that would necessarily embrace it. Being in the preamble the principles are not emphasized necessarily upon every trade, any more than our British Columbia legislature is a Christian institution. It is opened by prayers, but it doesn't deal with every principle. There is no doubt that the fact of being associated with the American Labour Union having a socialistic programme in its preamble would suggest the idea that every man was committed to hard and fast socialism. I don't think that view is fair at all. There is no doubt that a number of the members of the A. L. U. are socialists, but it is one of the general principles, although they do their best to urge their members to look to the final remedy, to exercise their own citizenship politically.

Q. I understand it is in contemplation of the socialists to substitute instead of the present wage system some other system whereby the labourers, the producers may be remunerated. Will you kindly briefly emphasize what you desire to emphasize in respect of these conditions ?—A. Well, the alternative principle to individualism and capitalism is co-operation—common enjoyment of common property. Wealth is now socially produced ; it is impossible for one man to say what he does produce. It is impossible to equitably value a man's own production. No other alternative with the elements of justice in it is possible.

Q. You talk about production. Has production, as contradistinguished from distribution, proceeded further than any distribution of wealth ?—A. Well, in production industry has proceeded to an almost incalculable extent through socialist industry, but the appropriation of profits remains as individualistic as it was a century and a half ago except in exceptional cases.

Q. The tendency in modern production in the United States is to gather into gigantic trusts and corporations all similar capitalistic concerns ?—A. Undoubtedly.

Q. The tendency of socialism would be in the same direction. You recognize that the tendency of production in the United States by these trusts is in the direction of socialism ?—A. Yes, in this form.

Q. Socialism fully realized would be carrying into effect in one gigantic organization control of the entire production system of the country ?—A. It would undoubtedly facilitate the transition.

Q. When that state is reached, the production would be centralized to the extent that the socialist party desires ?—A. Not necessarily. Centralization and absorption goes on now with no regard to anything but making a profit.

By Mr. Rowe:

Q. If you have obtained a complete centralization of all production, under what system of distribution is it suggested ?—A. Well, a man would be rewarded, I presume. That is no essential part of socialism how the wealth will be exactly distributed. It will be upon the plan found most advantageous to the whole community, but as to the exact form a man would be very cautious before he committed himself to any exact method.

Q. Is that an insupportable objection to the idealistic system which you are looking for ?—A. I don't see that. If it does not accomplish more equitably than the numerous disparities which exist between wealth now, it would not have much to recommend it.

Q. Take the management of the C.P.R. We will assume my facts are correct. They have a superintendent of employees all along the line. They pay them money—an arbitrary rate of wages governed by local conditions. There would be, under co-

operative commonwealth, similar distribution of labour. There would be superintendents of the several classes of labour ?—A. Yes.

Q. It is contemplated that they should receive equal remuneration ?—A. I don't see why they should not as long as there is abundance for everybody. The different wage with professions to-day result from the commodity production. So long as that commodity production lasts we shall have a different wage, which is part of the same system. We have made merchandise of everything—men, women and children—and we have become so brutalized that we cannot conceive of any other satisfaction than that of money.

Q. Under the conditions such as you dream of, there would be remuneration ?—A. Undoubtedly, and ample remuneration for everybody.

By His Lordship :

Q. What kind of remuneration ?—A. Material returns for services rendered.

By Mr. Bird :

Q. We are assuming that all would be provided with at least the necessities of life ; over and above that would there be remuneration ?—A. I think a man who would desire more than necessary than to give him a relatively better position in society than another—that is a wish not deserving of respect.

Q. It is claimed against socialism that the ordinary incitement to effort would be gone, that man must have a continual bribe in order to make him at his best ?—A. It arises from the cause, I think, that we have come to think of no remuneration except that of money, that labour can only be rewarded in money.

By Mr. Rowe :

Q. In your opinion, do men in important branches of work receive equal remuneration ?—A. I believe not.

Q. What departments of important work receive small remuneration in the matter of education ?—A. Particularly in the remuneration of art, science and literature. I think they are the three worst rewarded classes, relatively, in society.

By His Lordship :

Q. There are a number of inventors who are millionaires ?—A. There are a great many more who have been made millionaires out of the inventors.

Q. Take the man who invented the telephone—he is a millionaire ?—A. Bell ?

MR. ROWE.—I understand he is in poverty.

HIS LORDSHIP.—That might be through over-speculation.

WITNESS.—Edison is an inventor who is not regarded as wealthy.

HIS LORDSHIP.—He is wealthier than you and I.

Mr. ROWE.—That might not imply much.

By Mr. Bird :

Q. Do you think such a state of society would be any solution of, say, the liquor problem, which is very materially affecting the labouring class ?—A. Undoubtedly it would deal with the liquor problem. It is only a secondary matter, of course. It would not undertake to make every drunkard sober. But it would arrange the thing so that the best interests of all would be conserved.

Q. Would the elimination of profit be a good thing ?—A. There is no more moral necessity for profit than there is for arson or small-pox. It is not necessary for production.

GEORGE DALES—Vancouver, June 10.

By Mr. Rowe :

Q. Do you think one nation could adopt socialism and continue to do business with others ?—A. No, it is necessarily a national conception. It would not necessarily obliterate the national line. Ultimately, possibly it might.

By Mr. Bird :

Q. What do you say as to the charge against socialism that it intends doing away with the military system—is that a just one ?—A. I hardly understand you.

By His Lordship :

Q. Is socialism incompatible with patriotism ?—A. If by that is meant racial patriotism that is pumped into boys and girls, it would necessarily. It does not imply necessarily the sweeping away of racial or political lines. But it would establish a co-operation and fraternalism in the course of time.

Q. It has the disarmament of the world as one of its methods ?—A. Yes.

Q. And carry into effect the dream of the former Czar of Russia—that might be obtained ?—A. Yes, but these things are not necessarily a part of the teachings of socialism, but it is correct to suppose that it looks to the dissolution of war and the establishment of peace.

By Mr. Rowe :

Q. Don't you think if men were so that such a condition of society could exist that necessarily war would cease ?—A. Undoubtedly, if men were so.

Q. That is to say, if socialism were possible, then war would be impossible ?—A. No, they could not co-exist together. One implies a negation of the other.

Q. Then you would not hope for socialism until there was a condition of mind that made war impossible ?—A. Until there was a common conception on the part of all mankind of their social relation with each other.

Q. Which would be largely a process of temperament and could not be brought by legislation ?—A. Temperament and legislation combined in unity. Socialism would support any legislation that was in the right direction.

By Mr. Bird :

Q. What is the position of socialists in regard to natural resources such as coal mines, and then as regards developed industry such as great national highways ?—A. Naturally those, whilst the most prominent, are included with the means of production generally. Having been created by social labour, they should be a social possession.

Q. That would apply to the wealth from any mine, and so on. Socialists claim, I suppose, that this is an inheritance to the people and should not belong to any individual ?—A. Certainly not.

Q. Should be retained entirely to be worked by the people for the people ?—A. Yes.

By Mr. Davis :

Q. As far as the natural resources are concerned, the socialists claim that for the whole people ?—A. Yes.

Q. Would you say it would be possible for a country to advance under a system of that kind, that capitalists would be required to go into the country for producing that wealth ?—A. It certainly could not be under a capitalistic system. We are in that position now. We may have the greatest abundance of labour and could not do anything without money. We have come to regard capital as intrinsically necessary for production, and it is not. The two factors are labour and natural opportunity.

Q. Is money as a circulating medium a necessity under the socialist condition ?—A. Certainly not. A medium of exchange is, of course.

Q. How are the labourers to be sustained until this wealth is made available ? Take the opening of a coal mine, for instance. The capitalist may not be necessary, but the capital is surely ?—A. He does it by virtue of greed.

Q. What I mean is that the government assume to do this, could advance money for the development of mines and enjoy the profits of the operation ?—A. Oh, undoubtedly, but all the government itself now has been under the capitalist form.

Q. Yes, but the result is the same to the people; they enjoy the production ?—A. Practically. The only advantage of state ownership is that it gives the public mind the idea of no political defects. We have an instance in the I. C. R. The conditions of employment, and the rates obtained there are pretty much the same as on the C.P.R. or any other system. Whilst there might be some advantages, political or otherwise, it is no substantial benefit to the community.

By His Lordship :

Q. How would that be improved by socialism ?—A. It would be expropriated by the people.

Q. Yes, but it is owned by the people ?—A. Yes, but interest is payable on the cost of it.

Q. Would you repudiate the interest ?—A. I suppose they would be appropriating the industry.

Q. And one of the doctrines of socialism is confiscation, is it ?—A. Restitution. Confiscation has been proceeding very rapidly now for centuries.

Q. Restitution to whom ?—A. To the people whom the country and all its works belongs, to the class who produce.

Q. It seems to me it is a restitution to the people who have not produced.

By Mr. Rowe :

Q. You say all wealth is produced by labour; how do you define labour ?—A. I take rather a wide view; I would say every useful human activity; everything that conduces to the welfare of the community.

Q. What are the two classes ?—A. The owning or presiding class and the useful class.

Q. Take, in the case of corporations like the C.P.R., what would be the members of the one class and one of the other in that connection say ?—A. We should discriminate distinctly between the stockholders and those who were administering the railway.

Q. The capitalist class in that case would be the stockholders ?—A. The logical conclusion, apart from those who operate and those who use the railway.

Q. The class of labour would extend from the highest to the lowest position in the company ?—A. It would mean the services of every man necessary to maintain the industry—they would all be workers.

Q. You spoke of the middle class. How would you describe the middle class today ?—A. That has reference more to European communities. The middle class, as spoken of historically and socially is the class between the workers and the aristocratic class, but the governing class in this country corresponds to the middle class in Europe, I would think.

Q. What would you do, first speaking as a socialist, supposing you say they should take political action. How would socialists proceed if the power was in their hands ?—A. That is a speculation I would not like to indulge in. I have no doubt it would depend on the condition of things for the time being.

Q. I don't ask in a contentious spirit at all. What are the intermediate steps—legislative steps ?—A. Well, the first thing a socialist would be pledged to in the legislature would be to do all he could to benefit labour by advancement of wages, shortening of hours, &c. Dealing with improved conditions and greater leisure would result in men coming to a more rational conclusion. At the same time, collective ownership of the means of production.

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By His Lordship :

Q. The amelioration of existing conditions has been brought about by men who were not socialists ?—A. Undoubtedly under pressure from the working classes. My observation in England was that it was under extreme pressure from the working men, never voluntary.

By Mr. Rowe :

Q. Would you say that of the factory Acts ?—A. Probably with the exception of Lord Shaftsbury. There is a similar factor at work in all classes of society.

Q. Then the socialist believes in progressive legislation ?—A. He is in favour of progressive legislation so long as it leads directly to his goal.

By His Lordship :

Q. What is the actual goal to be obtained ?—A. The collective ownership of all the means of production following necessarily from the socialist condition of industry.

Q. Does that involve equitable distribution ?—A. It would involve equitable distribution, and probably equal.

Q. Who is to decide on these matters, as to how they should be divided ?—A. I suppose the people would find their methods in some legislative body. There is no doubt that government could consist far more of administration than legislation,

Q. One of the difficulties I imagine that is in the way of socialists is that the majority of the people do not understand the objects to be attained, or that socialists cannot point out any distinct object that can be obtained ?—A. It seems to me that the object is clear enough—that what is socially produced should be socially enjoyed.

Q. It is all right to indulge in these cloud-raising phrases, but what we would like is something that could be seen. What we want to know is the exact mode that will bring about this ?—A. That is asking what might occur in twenty years time. I think no one could say what will happen twenty years since. We are satisfied for the time being with promulgating our principles, trusting to the future to work out the details.

Q. The object is to secure equitable distribution ?—A. Yes.

Q. Does that mean equal distribution ?—A. An equitable distribution would involve probably equal distribution, but I would not commit myself to that. Seeing that a man's needs are practically equal whether the man works on a contract or presides over the contracts, he wants about the same needs. He wants a bed just the same and three meals a day. There would not seem to me to be anything very extreme about an absolute equality.

Q. I suppose the socialist does not want to commit himself to any condition in the hope that there may be a better condition that he could adopt ?—A. That is one reason.

Q. You would not suggest that all men should have the same kind of shack, live in the same bed, and have the same tooth brush ?—A. Certainly not.

Q. It seems to me if that is the golden effect of socialism the world would be one vast lunatic asylum ?

By Mr. Rowe :

Q. Do you think that men are generally in the best positions they are fitted for in society ?—A. No, a man is forced by economic circumstances to take whatever he can get.

Q. Do you think a man will have better opportunities for being in a position that he is better fitted for ?—A. I do.

Q. Does the plan of socialism involve the destruction of the present system of society, such as the home ?—A. Not by any means, rather tends to preserve the home. Conditions now are decidedly against the institution of home.

Q. Is marriage compatible with socialism ?—A. Undoubtedly.

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Q. Is it regarded as a permanent institution by socialists generally ?—A. Men differ much as to that. It is a subject largely discussed. It is evidently the best form of domestic life at the present time.

By His Lordship :

Q. In this Utopian scheme, because that is what it seems to me to be, would it be permissible for one man to live in a $50,000 house and another in a $500 one ?—A. Some men's aspirations run to houses, some to other things.

Q. I want to get an idea from you as a representative socialist just what your idea is. Could some men live in a fine house and others not ?—A. Certainly, if they chose to spend their means that way.

Q. Then you admit it would be possible under the socialist system for some to accumulate more than others ?—A. Some men would spend and others accumulate, but there would be no possibility of one man exploiting anything or making a profit out of one man's work.

Q. I suppose it naturally remains that some would be idlers ?—A. Yes.

Q. What would you with them ?—A. Pretty much as now.

Q. You would have jails ?—A. No. Some of them, the idlers, are pretty well cared for. We should not look upon poverty as a crime.

Q. I am talking of men who won't work ?—A. He would be regarded as insane, I believe. I don't think that class is as bad as some people think. It is not work that men shirk.

Q. What would be the inducement under your system for a man to work ?—A. In order to live.

Q. What would be the inducement for him to spend his full energy ?—A. The idea that he would benefit society.

Q. Do you think that would be strong enough to keep him ?—A. I think it has actuated all the best men who have ever lived.

Q. Do you think that all workmen should be in a separate political organization ? —A. I think it is high time that organized labour should recognize its opportunities and decide for intelligent political action.

Q. What do you think is most productive of the spread of socialism among union men—successful or unsuccessful unionism ?—A. No doubt as they come to see its limits and ineffectiveness beyond a certain point, it might be said, its ineffectiveness.

Q. Do you think recognition of unions by employers is calculated to produce socialism, or the opposite ?—A. Well, for the time being, no doubt the disappointed man would more easily turn socialist. The man who was granted recognition on reasonable terms might for a time be contented.

Q. Don't you think it injurious for men to adopt a political creed through a spirit of resentment and disappointment ? Would it not be better to have them urge it by intelligent progress rather than driven to it under compulsion ?—A. I think necessity has always been the advancement and improvement. They will simply adapt themselves to any line according to necessity.

Q. Having regard to the general necessity, would it not be better for socialists to proceed from the intelligence of men rather than by exciting their animosity ?—A. Undoubtedly, and I think that is the usual way.

Q. Do you think it contributes to the benefit of society generally, or must he use what I was going to call strong language, having reference to the other classes of society ?—A. Extreme cases sometimes call for strong language, but so long as it is logical and truthful it should be tolerated.

Q. Referring again to this doctrine of confiscation, supposing the socialists were in a position to acquire the C. P. R., I mean by virtue of political power, would it be right to take that railway over without paying the stockholders who are in Europe ? —A. Inasmuch as it has been created out of the natural wealth of Canada, and by the

labour in Canada, and used by the people in Canada, I think, it would be perfectly just to expropriate it.

Q. You understand that there are people of moderate means in Holland having money invested in connection with the building of the railway ?—A. I don't think any injustice would be done. I speak more particularly of the men who have made their money without production.

Q. Would it be right to expropriate the money of the common people of Holland, which has been put in on the honesty of the company ?—A. I think it would be right.

Q. Then, I gather that the matter of contract is a very small matter with socialists, that when a socialist considers a contract is unfair he is quite ready to repudiate it ? A. It is always, to my mind, safe to repudiate wrong.

Q. There is not much faith to be put on the contract of socialists ?—A. That is a matter of opinion.

Q. Well, I gather that from what you say. And it is somewhat remarkable, Mr. Dales, in the case of contracts that have been entered into with unions that are socialistic in their position, that it seems to be a matter of some difficulty to get these bodies to stand by their contracts. I simply want to get the idea of a representative socialist like yourself ?—A. I don't claim to be that. If you wish to impute that a socialist repudiates any agreement that he has conscientiously and intelligently subscribed to, I wish to repudiate any such suggestion. My own experience amongst socialists and others is that the word of a socialist is as good at any rate as that of other men. They don't claim any moral superiority, but the obligation to their principles would involve things that a capitalist would look on as a breach of contract undoubtedly.

By Mr. Rowe :

Q. You say a capitalist would look on it as a breach of contract, why not a socialist ? Give us an instance.

By His Lordship :

Q. There is a large sum of money taken out of a foreign country, loaned on the faith of the people that they would return it, and yet you as a socialist on acquirement of that railway would repudiate that debt ?—A. To come to an intelligent and equitable adjustment of that, we would have to inquire how the money was made.

Q. What difference would it make to you how it was made, provided it was borrowed from these people in Holland ?—A. The people in Holland would not be in a different position from any one here.

Q. You think it would be right to take the money from the people in Holland and repudiate that debt ?—A. The interests of the few and a section of the community are always subservient to the welfare of the whole. If a contract to which the people of Canada have not acceded has been made as against their interests, they would be justified in repudiating it.

Q. And upon the same principle, a contract entered into with a union, if it has been entered into inadvisedly by the officers of the union, would, on the same principle, be repudiated without any moral wrong ?—A. Not necessarily. There is a very essential difference between the two cases.

Q. I fail to see it ?—A. One is a contract to which the men are intelligently and understandingly entering into themselves and are morally bound to respect.

Q. They may have entered into it under pressure and necessity ?—A. I would not try to defend any union breaking its contract.

By Mr. Rowe :

Q. I suppose you distinguish between a contract that binds the people and one that binds the people to make it on posterity ?—A. Certainly.

His Lordship.—You would have great difficulty in determining the time at which posterity began.

By Mr. Bird :

Q. Is the doctrine of confiscation, as set forth by you, generally obtaining among socialists ?—A. I think so, although there are various suggestions made for transferring capitalist wealth to the working classes or to the useful class. For instance, Robert Blatchford, a very representative man, suggests that ownership terminate by death, and there are various forms of increasing taxation and extending succession duties.

Q. Would you assume that the succession duties and certain systems of taxes are systems of confiscation ?—A. There is direct confiscation in compelling succession duties.

By Mr. Davis :

Q. On the whole, Mr. Dales, your explanation of socialism is what is usually understood by socialism in the usual acceptance of the term ?—A. Of course, I am speaking for myself, but I think it represents a very large section of the socialist party.

Q. You say that socialism does not necessarily exclude violence. What is your attitude with reference to the question of violence ?—A. In stating that, I had no suggestion that any violence was contemplated or formed any part of the socialist plan.

Q. What is your attitude with reference to violence ?—A. I am entirely opposed to it.

Q. That is, if you got your desire as you outlined your theory, if that could not be obtained except by violence, you would let it go ?—A. I was speaking from an historical standpoint. No revolution has ever been completed without more or less violence. The object of the socialist party will be to complete a peaceful transfer.

Q. I am not speaking about historical revolution. We know about that in history. I mean what would your doctrine and that of the socialist party you represent be towards the question of violence ?—A. I say I am opposed to it; I am in favour of a constitutional method.

Q. And if you cannot obtain your goal without violence, you will give it up ?—A. That is something that does not present itself.

Q. If you cannot get your goal without violence, will you use violence ?—A. If force were necessary to institute justice it would and has been inseparable from movements——

Q. If force is necessary to obtain justice you will use force ?—A. Justice is based on force.

Q. If it is necessary to use force would you, to obtain what you consider justice, use force ?—A. Certainly, as soon as there was an opportunity for a successful issue, it is impossible to do otherwise.

Q. If you cannot obtain your goal without force, you will use force ?—A. I suppose so.

Q. And as a matter of fact, from the doctrines that you promulgate, it is almost imposible to hope for this attainment without force ?—A. On the contrary, the probabilities are strongly in the reverse direction.

Q. As I understand your theory for obtaining possession of these trusts, we will call them—what I mean is, large institutions such as railways, coal lands, smelting works, &c., which you think should be operated by the government, is what you call confiscation without appropriation, is that not so ?—A. So far as it is for the benefit of the whole community.

Q. So far as it is necessary to obtain them at all ?—A. One implies the other necessarily.

Q. Your theory of socialism is that all these should be owned by the state ?—A. No, by the community in common.

Q. You say the 'community'; I mean the same thing when I use the word 'state'? —A. There is quite a difference.

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Q. It is your theory that the community should own all these commodities ?—A. Certainly, yes.

By His Lordship:

Q. What do you mean by community; the whole country, or a section of it ?—A. The whole people—a common ownership.

By Mr. Davis :

Q. What is the difference between that and state ?—A. The state is only the functionary head of the community. The common property would be vested in the people rather than the government.

Q. That is the theory of all governments, only in the English government it is called 'Majesty,' in the States 'The People,' just in these words exactly. There is no use in our differing about terms.

By His Lordship :

Q. You mean public ownership ?—A. Common ownership on behalf of the people.

Mr. DAVIS.—Government ownership would be ownership of the people.

By Mr. Rowe :

Q. The essentials of your theory would have to be different ?—A. I imagine it would work a great revolution in the form of government. It would become more administrative than legislative.

By Mr. Davis :

Q. What is your idea of the change of government which you would bring about? —A. Do you mean in the form ?

Q. You say there ought to be a change of government ?—A. It would be more administrative and less legislative.

Q. Will you please put that into some specific language. I don't know exactly what that means myself ?—A. To-day we are regulated by a multiplicity of laws that could not be except for antagonisms in society. These, to my mind, arise from the lack of a proper appreciation of right relationship between men. The socialists anticipate in the future, when matters are adjusted in relationship to each other, there will be less government according to statute law; that general principles will take the place, to a large extent, of statute law.

Q. All you mean by change of government is change of statute law ?—A. Not necessarily.

Q. What more than that ? What other change do you expect ?—A. I believe it would be very largely decentralized.

Q. In what respect do you wish to decentralize it ?—A. I mean that a greater autonomy would be granted to municipalities and localities.

Q. In what respects ? What do you complain about in the province ? What lack of power in the municipalities ? What greater power would you give ?—A. I would give them power to own the city.

Q. Is your theory as to the form of government of the ownership of property that each municipality should own all the territory within its limits ?—A. Perhaps own would hardly be the correct word. They would have the right to administer it.

Q. Who would own it according to your theory ?—A. The whole community.

Q. Who would represent the community ?—A. Representatives, I presume.

Q. That would be the government, would it ?—A. Yes.

Q. Do you propose to do away with government ?—A. No.

Q. What is your objection to the word government ?—A. I have no particular objection to the word government.

GEORGE DALES—Vancouver, June 10.

Q. The property would be owned by the government, according to your theory ?—A. That would represent the people.

Q. That would be the government ?—A. Yes.

Q. If you mean something by that, Mr. Dales, let us hear it. Would you change the form of government ?—A. In many respects, no doubt.

Q. What ?—A. By making the election laws more easily applied.

Q. That is not a change in the form of government; you will change the legislation. I understand you would rectify a great many things that are wrong. They are no doubt Utopian ?—A. I object to the word Utopian.

Q. Do you advocate a change in the form of government ?—A. Not necessarily. We advocate a change in the spirit and aim and purpose of the government.

Q. What the spirit of government is is a little hard to find out. We have been trying to find that out for a long time. But the form you would not change ?—A. It would be the right form of government undoubtedly.

Q. Do you advocate a change of the present form of government ?—A. Do you mean the executive ?

Q. You are a newspaper man—don't you understand what is meant by form of government ?—A. Yes, I do.

Q. Did you advocate a change in the form of government ?—A. Our quarrel is very little with the form of government.

Q. Then, I understand you to say that practically you don't advocate any change in the form of government ?—A. No.

By Mr. Rowe :

Q. Would you have a king ?—A. I don't regard him as necessary.

Q. Do you advocate his abolition ?—A. Not necessarily.

By Mr. Davis :

Q. You have no quarrel with the government as it exists to-day. The form of government is perfectly consistent with socialistic theory ?—A. I hardly think it is.

Q. Then the socialists' theory of government is not consistent with the idea of a monarchy ?—A. No, I should not think it is, although we have no quarrel as to government at the time being.

Q. So if your theory were being applied to our country at the present time it would necessitate the doing away with the monarchical form of government ?—A. Just as you say.

Q. Is it so ?—A. I believe it would be so eventually.

Q. There is no other change in the form of government which you advocate ? Is that right ? Except what you were speaking of—that you would have it more decentralized ?—A. No particular change in the form of government.

Q. You say the only change you have suggested as yet is that you would have the various municipalities own the property. You intend property to be owned by the government ?—A. It is quite likely that municipalities and all local bodies would have a greater degree of autonomy in the administration.

Q. What I am asking is what you advocate, and when I say you I mean the socialist party ?—A. You are asking for details of events that will probably happen in the future.

Q. If you say the socialists have no ideas on the subject, I won't go further ?—A. It seems, Mr. Davis, that you are trying to draw me out on some details that seem problematical.

Q. The question I started with was whether the socialists advocated any change in government. We found out that they do advocate the doing away with the monarchical form of government. Next we find out that they want more extensive powers to be given to municipalities. Now, I ask you what more extensive powers ?—A. I say the power to adminster the industries within the limits of their boundaries.

Q. That is the general idea, the main idea of socialism, that the government shall be the owners of all industries ?—A. On behalf of the people. Not necessarily all industries. All that are socially carried out.

Q. What are these that the socialists say are necessary to be owned by the state ?—A. All wealth socially produced.

Q. Tell me the industries that need not be owned by the state under your theory ?—A. It is well known that practically all wealth is socially produced.

Q. I understand that the socialist idea is that all industries should be owned by the state. If there are any exceptions as you now admit, will you please tell me what they are ?—A. I might mention the lawyers.

Q. I don't regard them as an industry. They are not industries ?—A. It does not follow that individual initiative would be utterly excluded.

Q. Are there industries which, according to the socialists' doctrine ought to be excluded by the state ?—A. No.

Q. Now, the central theory of socialists is that all industries should be owned by the state, and your idea is that the municipality should administer these industries ?—A. Yes, in the interests of the entire community.

Q. The central government would not administer these at all, but they would be administered throughout the different municipalities ?—A. According to general principles.

Q. But by the municipalities ?—A. I believe that administration would be localized generally.

Q. They would not be administered by the government. For instance, all shingle factories administered by government under commission or something, but all the shingle factories here would be administered by this municipality, and so on ?—A. Probably something like that, and not by individual owners.

Q. Not an administration by government, but by different municipalities ?—A. Yes, by local bodies.

Q. Have you any theory as to changing municipalities ?—A. Oh, no.

Q. Now, your idea being that all property is to be owned by the state, your second idea being that that property is to be acquired by the state without compensation—that is correct, is it not ?—A. To be acquired by the state on behalf of the whole people.

Q. Don't you think it would be very difficult to carry out these theories without violence ?—A. No, I don't.

Q. You think that the owners of property would tamely submit to their property being taken away ?—A. Not perhaps very tamely submit. There would be resistance, no doubt, but I believe it would take, to a large extent, a peaceable form.

Q. Don't you think it would be a form of revolution—I mean a violent revolution ?—A. No, I don't think so.

Q. You remember the American revolution arose out of a little tax on tea ?—A. Yes.

Q. And you don't think that the taking away of all property of perhaps 50 per cent in the country would cause a revolution ?—A. Do you think it reaches 50 per cent ?

Q. Well, taking away property from the owners of that property, would not precipitate a revolution ?—A. I don't think so, not necessarily a violent one.

Q. But if it did precipitate that revolution, you would be prepared to abide by this result ?—A. We must be, we have no choice.

Q. You would carry it through in spite of the revolution ?—A. I don't say that. I say I am in favour and believe that the revolutionary method will prevail.

Q. Then your idea of what is right is, as you said a little while ago, the interests of the majority ?—A. The interests of the working and useful classes. I believe that when the legitimate claims of labour as the useful class are satisfied, there is no further legitimate interest in society to consider.

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Q. And that must mean what the industrial and useful class, as you put it, consider to be their interests, must it not ?—A. Yes.

Q. They will be the sole judges of what are their interests ?—A. By the rule that society of all kinds rests upon.

Q. They will be the sole judges of what are their own interests ?—A. We know of no law above majority rule.

Q. Are they to be the sole judges ? If not, who is to be the judge ?—A. The people themselves will judge.

Q. So that no matter what they decide is to be carried out ?—A. Exactly as they do to-day.

Q. In taking away this property from people without compensation ?—A. If an individual did that it would be stealing or highway robbery. It would be stealing, in the broad sense ?—A. You are speaking of things as they are to-day.

Q. If an individual did it it would be to-day ?—A. That is the logical interpretation of it.

Q. But if the industrial and useful classes considered it to be in their interests to take this property away, then it would be justifiable ?—A. That is exactly how government operates to-day.

Q. That is, if the steal were wholesale it would be justifiable, but not if retail ?—A. Certainly, if the interests of the community demanded.

Q. Then, the doctrine of socialism, if that is so, recognizes nothing above the laws passed by themselves ?—A. By the majority.

Q. They cannot recognize any law of God as to right or wrong ?—A. You are introducing a subject here which has no reference whatever to it.

Q. What is the attitude of socialism in that respect ? Do they recognize any laws above or outside of the law of majority ?—A. The attitude of the socialist is this with regard to property. I don't know, you might as well ask me what it has to do with astrology.

Q. Do the socialists, or do they not, recognize any other law whatever than the law of the majority ?—A. They are just like the rest of the community. There are all kinds of creeds held by socialists.

Q. Then, I understand that the socialists don't know whether they recognize any law of the majority or not ?—A. Just as much as the rest of the community. You might just as well ask me the colour of the hair of every socialist.

Q. That is getting a long way off. If you tell me you don't know, and you can't answer the question—A. I can answer the question with all the knowledge I have, and tell you there are men of all creeds. It is no necessary part of socialism.

Q. I asked you a simple question: Do the socialists in their theories, as you understand them, recognize any, and if so, what laws above or outside of the law of the majority, or are they the sole guardians of right and wrong ?—A. You mean the socialists themselves, certainly.

Q. What does certainly mean, they do, or they do not ?—A. They recognize no laws in respect of material things above natural laws.

Q. I am not limiting it. I want to know whether they recognize any other law ?—A. They are like the rest of the community.

Q. So that as socialists themselves they have no view on the subject ?—A. No.

Q. Then they would not know what to do if the law of majority as they understood contravened the divine law ?—A. I can hardly understand how such a thing——

Q. I can give you an idea. Supposing the majority came to the conclusion that murder should be legal—consider executives to be imperfect or any other way you may take it. Would you justify such a law as that ?—A. You are suggesting an extreme case.

Q. I am trying to find out whether the socialists recognize any law above the law of majority ?—A. They are upholders of the moral law.

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Q. They don't recognize a law above the law of the majority ?—A. Certainly not in practical affairs. You are confusing theory with practice.

Q. Would you consider laws that are passed practical affairs ?—A. Yes.

Q. Now, you have just been advocating the passing of a law which would amount, to ordinary men, as nothing more than stealing. Supposing a law were passed making murder legal because it was passed by the majority ?—A. Certainly not.

Q. Why do you draw a distinction between legalizing thieving and legalizing murder ?—A. I would not regard it as thieving.

Q. The majority are to be the judges of right and wrong ?—A. Yes.

Q. Then there can be no law ?—A. Society rests upon the consent of its members.

Q. Your theory is, as I understand it, a good deal the same as that set out in Edward Bellamy's 'Looking Backward'?—A. No.

Q. The first thing is that all industries are to be owned by the state for the people—that is correct ?—A. They are to be owned by the people collectively and administered by their representatives.

Q. Owned by the people and administered by the representatives of the people. Any profit arising from the administration of these industries will be equally divided among all the people ?—A. I cannot tell you.

Q. What is the theory ?—A. That the collective product will be used for the common benefit of the whole community.

Q. Cannot you give any closer view in theory as to how it should be divided ?—A. I say for the benefit of the whole community, according to the common expression of opinion when such time arrives.

Q. The division of that money will be left in the hands of the representatives of the people ?—A. Yes.

Q. You don't contemplate doing away with the legislature ?—A. No.

Q. That the distribution of these profits is to be left in the hands of the legislature ?—A. Not necessarily.

Q. Because if it did, I think the legislative assembly would get most of it ?—A. Judging by what occurs in Victoria.

Q. How is it to be divided ?—A. You might as well ask me about the weather. It will be divided according to the highest sense of justice prevailing in the community.

Q. Does the socialist doctrine vary like the weather ?—A. No.

Q. Have the socialists any doctrine as to the disposal of these profits ?—A. Not more than what I have said.

Q. Your highest sense of justice ?—A. That of the reflected will of the people.

Q. That sounds awfully nice, but will you tell me how it is to be expressed ?—A. Through their representatives.

Q. Then the distribution of this wealth is to be in the hands of the legislative assembly?—A. No.

Q. In whose hands ?—A. Except as executive of the people.

Q. It is to left, as it were to the Lieutenant-Governor-in-Council ?—A. No.

Q. What do you mean by executive ?—A. I say the representatives of the people.

Q. Then in the hands of the legislative assembly to distribute ?—A. Grant it so.

Q. They are to decide how these profits are to be divided up ?—A. You are just speaking, Mr. Davis, as though the question would be reconsidered from time to time.

Q. I can easily understand that. Fresh assemblies would reconsider it ?—A. Not unless the people voted.

Q. However, that is your idea, that these profits should be divided up in accordance with the wishes of the legislature——

His Lordship.—They would be more liable to stay with the assembly than go to the people.

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Q. Do you think that would be any improvement on the present system of distribution of profits ?—A. I think it would be.

Q. If you were existing at that time you would want to be in the assembly ?—A. There is nothing to tempt me to that as far as I can see.

Q. Another fundamental principle I understand is that all men are equal. That is really the basis of the thing ?—A. What do you mean by that, physically ?

Q. Is that in accordance with your theory ?—A. I believe all men should be socially classed as equal, but they are not physically, no doubt.

Q. In fact the statement that all men are equal is not true in any sense except as before the law. Are they in any other way ?—A. Yes, they are practically equal in regard to their natural needs and desires.

Q. Are they equal in that respect ?—A. I say they are practically equal.

Q. Did you ever meet any two people exactly the same ?—A. No.

Q. Why do you say they are equal ?—A. They are practically equal. The government could probably strike a balance that would satisfy them all—a balance for their physical needs, which are practically the same.

Q. Is that your idea of the division of things; that they shall strike one balance and all be treated the same ?—A. Nothing of the kind. Too much prevails that way now.

Q. What other changes do the socialists recommend in society, beyond the confiscation by the state of the industries and the administration of these industries by the state or municipalities. What about the rest of the community. Will the grocery business be run by the state ?—A. That will be decided by the people when industry is socialized.

Q. Is it a part of your theory that business such as the grocery business should be run by the state? I want to find out their theory. Is the grocery business to be run by the government ?—A. The wealth socially produced shall be socially distributed.

Q. Under your theory is the grocery business to be run by the state ?—A. Certainly, if it is decided on.

Q. What is the theory of socialists ?—A. That wealth will be equally distributed; that the grocery business will be socialized.

Q. You mean by that to be owned and run by the government ?—A. By the people's representatives.

Q. And the same way with painting and paper-hanging ?—A. With every industry.

Q. Of every sort ?—A. Yes, not doctors, probably.

Q. What about doctors ?—A. I mean doctors would be public servants and have an interest in maintaining the health of the community, rather than an interest in epidemics.

Q. At the present time your idea is that medical men are interested in the spread of epidemics ?—A. No, I don't know in the present form that they necessarily have an interest. I have a better opinion of the medical profession than that.

Q. You think they have an interest at the present time in the spread of epidemics? —A. Yes.

By His Lordship :

Q. I suppose it is natural for a doctor to feel bad in dull times ?—A. No doubt.

By Mr. Davis :

Q. The undertaking business would be run by the government, of course ?—A. People, I think, would die under socialism.

Q. How about painting ? Is there to be an equal wage given to each man on this work ?—A. I don't know.

Q. What is the theory of socialists ?—A. That all useful labour that contributes to the common welfare is uniformly honourable and valuable.

GEORGE DALES—Vancouver, June 10.

Q. I want to get down to particulars. There is no use of their putting forth a theory that has nothing practical about it. You could not get followers if you cannot answer questions like these ?—A. We are pretty successful in getting followers.

Q. I want to know what you are going to do. According to your theory the painting industry is to be run by the government who will distribute the profits in accordance with the legislative assembly. Are the men who do the work to be paid wages ?—A. They will share in the common production.

Q. The legislative assembly might say that the men should not get any of it ?—A. That is impossible.

Q. Your idea is, then, that the painters should not get anything until the legislative assembly distributed the profits ?—A. I say they will share equally with others.

Q. Are they to wait for anything for their work until the legislative assembly vote it for them ?—A. It would not be in the power of the assembly to vote a man out of his labour.

Q. How are they to get the reward of their labours ?—A. I presume it would be administered by persons appointed for the purpose.

Q. Then they would be paid wages ?—A. Not wages as we understand it now.

Q. They would be paid sums of money per day or per week or per month ?—A. They would be remunerated undoubtedly.

Q. And any balance of profit there was over would be divided by the legislative assembly ?—A. I said nothing about profit. The socialist system eliminates profit. There is an essential difference between profit and a system without profit.

Q. Now coming back to these sums of money which I call wages. These wages that are paid to the painters for their work—how are they to be regulated ?—A. By the degree of productivity of their labour.

Q. How are you going to regulate them according to the degree of the productivity of the labour ? How are you going to get at the wages to be given these painters ?—A. It might be there would be a uniform wage.

Q. What is the theory of socialists on the point ?—A. That they will divide the whole production equitably.

Q. You admit there are to be certain sums of money paid these men at certain specified times ?—A. They will be paid.

Q. They don't have to wait until we see whether the government makes a profit or loss on the painting industry. Supposing there is no surplus. Suppose there is a loss. Would they get paid for their labour ?—A. How could that be ? It would not be possible, running things as we would.

Q. How are you going to arrange the amount of money to be paid these men ?—A. I say the gross production will be distributed to those who contribute services in creating it.

Q. The gross production would not probably be known to a man for a year after he had done his work ?—A. The gross wealth as the business progresses.

Q. How would they know how much to give these men ?—A. They would know that from the gross income and the production of labour generally.

Q. At the end of each year they would figure out how much had been got in a preceding year and divide it up among the people in the state ?—A. Something like that.

Q. How would they get at the proportion to give each man ?—A. I suppose the laws of arithmetic would not fail.

Q. Would they divide the amount of money by the number of people ?—A. I don't know.

Q. I want your theory ?—A. I thought you wanted facts.

Q. You have no facts to give ?—A. It is quite likely the results of labour would be summed up certainly according to their needs.

Q. Do you say it would be divided according to the needs or the number of people or equally ?—A. Probably it would be equally divided.

GEORGE DALES—Vancouver, June 10.

Q. That is your idea of how it should be done, divided equally ?—A. Equally as far as possible.

Q. Well, it would be quite possible to divide it exactly, is that your theory ?—A. There is a good deal of difference. Personally, I am in favour of economic equality.

Q. You believe in dividing it equally ?—A. I would not impose that on the socialists as a whole.

Q. It is your idea of having it divided equally ?—A. I am personally in favour of it.

Q. Dividing the money up equally among all the people ?—A. Yes.

Q. Every man gets the same amount—that is your theory ? That pre-supposes or should pre-suppose the equality of all people in every respect, should it not ?—A. Not necessarily.

Q. You are going to force everybody to live alike ?—A. I would base that on the conception that all human needs—material needs—are practically equal.

Q. You think the material needs of all people are the same ?—A. Yes.

Q. And your idea is that all people should receive the same amount of money and live in the same way ?—A. Nothing of the kind.

Q. Don't you think there are some people who like living in an inexpensive way rather than in an expensive way ?—A. Undoubtedly.

Q. And others who would like to live in an expensive way rather than in an inexpensive way ?—A. Yes.

Q. And yet you want them to get the same money ?—A. I would have them get what is due to them. I mean the return for their labour. It would be set out by the consensus of opinion.

Q. Has your experience with the socialists been that there is such a thing as consensus of opinion among them ?—A. Yes.

By His Lordship :

Q. Where do you draw the line between capital and wages ?—A. The labourer is remunerated by wages and not by the profits of any man's labour.

Q. Would you say a man like the president of the C. P. R. is a capitalist ?—A. In so far as he represents stock he is a capitalist, but as to his work he is a labourer.

Q. Would you say a man like that should get the same reward as a switchman or baggageman ?—A. I don't think that an equal reward would compensate for both, especially looking to the increase of productivity of labour under the socialist administration. The wastefulness now is something that is pretty hard to understand.

Q. A man would be ahead if he occupied the position of baggageman, if he got the same wages. He would not have the same responsibility ?—A. Depends on the temperament. Others are happy in a simple and humble position.

By Mr. Rowe :

Q. I suppose a large share of the duties of the manager would be removed, he would not have any competition, no bargains to make, simply to organize and supervise ?—A. I imagine a large portion of President Shaughnessey's work is in connection with the ownership of the directors. All that would be done away with. With competition limited and the sources going on it is calculated by comparative statistics that labour could be increased 1,000 to 1,200 per cent.

By His Lordship :

Q. Would you have to determine on that position by ballot ?—A. That is a question in the community, whenever necessity existed in selecting the most useful man.

Q. How would that selection be arrived at ?—A. I imagine by the selection of the most competent and useful man.

By Mr. Rowe :

Q. There would be no bother about subsidies or land grants ?—A. I don't think so.

By His Lordship :

Q. Would you say that the post office system as run under the Canadian government is a fair example of an industry being conducted without profit ?—A. Yes, as far as it goes. It is by no means an ideal institution, but it serves for an illustration.

By Mr. Bird :

Q. You think the difference in rates, say for carrying a letter from here to Hong Kong and that the transfer of a parcel by express to Hong Kong would show a difference under the public ownership and under the profit system ?—A. I don't quite comprehend.

Q. I am just going to illustrate. It takes two cents to send a letter to Hong Kong and probably $1.25 to send a parcel by express. Would you say under collective ownership that the parcel might properly be sent at approximately a cost of two cents ?—A. It is quite possible.

Q. So you say the balance would represent waste ?—A. Yes, waste in profits.

Q. My learned friend referred to confiscation of property. In time of war—we recognize the fact that it is a recognized policy that confiscation is properly the order of the day at time of war ?—A. Yes.

Q. Would you say that that was an example where the law of God was overridden by the law of nations ?—A. Undoubtedly it would be one of many.

Q. You don't think it is any more exaggerated example of disturbing the commands of the higher powers than what has been suggested by confiscation ?—A. Certainly not; it is equally stealing. There are some clearer examples of that. For instance, whole blocks of the country are transferred to corporations without the slightest sense of justice.

Q. Now, if the majority decide in the legislature under the system you have indicated, if the majority decide in favour of socialism and the capitalists were to take up arms in favour of their rights, do you think the constituted authorities would be just and have the right on their side to resort to arms to maintain the position they had taken ?—A. They would have no other alternative.

Q. So that in that way force might be compelled at the instance of the minority ?—A. Yes.

Q. And if force is ultimately resorted to in connection with your ideal system it will probably be by some such system ?—A. Every working change has been made with more or less force.

Q. How does the useful class as you term it compare numerically with the class of those not useful to society ?—A. There are various estimates with regard to that. I imagine that the wage-earning class amount to something like seven-tenths of the entire community.

Q. So that they considerably outnumber the parasite class ?—A. Yes.

By Mr. Davis :

Q. Which class do the judiciary fall into ?—A. Not necessarily into the parasite class and not necessarily the lawyers, though, I find that elections for the most part are conducted by lawyers, the laws made by the lawyers, and one cannot avoid the inference that it has been largely in the interests of lawyers. That must occur to everybody. Four-fifths of the American Senate consists of corporation lawyers.

By Mr. Rowe :

Q. You said something about a class holding morals as deduced from natural laws. Can you explain that ?—A. I hold it to be a man's highest wisdom, from a study of natural laws, to govern ourselves as individuals and in association and aiming to trust ourselves to moral strength to conform to them.

Q. What is the standard ?—A. Of morality ?

Q. Yes.—A. We believe that the standard has changed from age to age and is very largely a reflex of economic conditions. It used to be held that honesty was the best policy. To-day it seems to be that policy is the best honesty.

By His Lordship :

Q. What is the view of the socialists' body towards the militia ? Is it a proper thing for a socialist to be a member of the militia ?—A. Seeing that the militia is used so largely to repress riots and to put down all endeavours on the part of the working classes, the militia has gained no favour with workmen generally and especially on the side of the socialists.

Q. Then you think that riots should not be put down ?—A. No, but I think, they are deliberately put in effect sometimes to further the influence of the capitalist class.

Q. When they do occur it is necessary that they should be put down, shouldn't they ?—A. The manner of putting them down is provocative of greater trouble, if the police were used more effectually.

Q. What do you mean by that ?—A. I think that the militia have been called out prematurely.

Q. Militia are necessary to the preservation of order ?—A. Yes, under the present condition of society, but, I think, that is a great reproach to us to think that the militia are really necessary in an intelligent community.

Q. The militia would have no place in a socialistic state ?—A. I don't think it would be policy at the beginning. We don't propose to institute a new order of things altogether. No doubt the change in our social institutions will be gradual and more or less by degrees to a higher and more creditable form.

Mr. BIRD.—I desire to put in two letters. I will read them :

(Exhibit 60.)

'VANCOUVER, B.C., April 14, 1903.

'F. J. HALTON. Esq.,
'Secy. U. B. R. E., City.

'DEAR SIR,—We were instructed some few weeks ago with respect to a clear case of importation of alien labour. As you know, proceedings cannot be taken under the Alien Labour Act without the consent of the Dominion Attorney General. In order to ascertain the procedure necessary under these circumstances, we wrote to Sir Charles Hibbert Tupper for information on the subject, and ascertain what was to be done. We inclose you a copy of his letter, which explains itself. In other words, the Act is really a dead letter by reason of the means adopted for its enforcement.

'Yours faithfully,

(Sgd.) 'WILSON, SENKLER & BLOOMFIELD,
'per C.W.'

(Exhibit 61.)

'HOUSE OF COMMONS,
'OTTAWA, April 3, 1903.

'MY DEAR WILSON,—Immediately on receipt of yours of the 24th March, I saw the Minister of Justice, and his attitude confirms the general disaffection in regard to the Alien Labour Act. What he practically says is that these proceedings are under the administration of the Department of Labour, and applications to have proceedings taken must be considered there in the first instance. This means, of course, a formal presentation of your case to that department. Then, he says, if it be thought desirable for the Attorney General to intervene in any case, representation for that purpose should emanate from the Department of Labour.

'I will see you shortly, as I leave to-morrow for the coast, stopping a day at Winnipeg en route.

'Yours sincerely,

(Sgd.) 'CHARLES HIBBERT TUPPER.

'CHARLES WILSON, Esq., K.C.,
'Vancouver, B.C.'

HIS LORDSHIP.—Mr. King, you might go into the box and explain these letters.

W. L. MACKENZIE KING, sworn.

WITNESS.—I notice the first letter which Mr. Bird read from Wilson, Senkler & Bloomfield to Mr. Halton states as follows: 'We were instructed some weeks ago with respect to a clear case of importation of alien labour. As you know, proceedings cannot be taken under the Alien Labour Act without the consent of the Dominion Attorney General.'

By His Lordship :

Q. What is the date of that letter ?—A. 14th of April, 1903. I may say that that contains a misstatement of the situation. Mr. Wilson says—'proceedings cannot be taken without the consent of the Dominion Attorney General.' The law as it was passed originally in 1897 contained a provision under section No. 8, 60-61 Vic., cap. II—'No proceedings under this Act, or prosecutions for violation thereof, shall be instituted without the consent of the Attorney General or some person duly authorized by him.' Mr. Wilson evidently had that section in his mind when he wrote the letter. In 1901, that section was repealed, expressly for the reason that it was regarded as an extreme method of enforcing the Act. The old Act required that any proceedings should first of all have the consent of the Attorney General of Canada. The Act assented to on the 23rd May, 1901, expressly repeals that section—section 8 of the Act—and a new section was substituted, which would put the law in such a position that any person could have it enforced without appealing to Ottawa, and without going through any difficult procedure, and that is the first section of the amended Act passed in 1901. Section 1 reads:

'Section 3 of chapter II of the statutes of 1897 is repealed and the following is substituted therefor :—

'3. For every violation of any of the provisions of section 1 of this Act the person, partnership, company or corporation violating it by knowingly assisting, encouraging or soliciting the immigration or importation of any alien or foreigner into Canada to perform labour or service of any kind under contract or agreement, express or implied, parole or special, with such alien or foreigner, previous to his becoming a resident in or a citizen of Canada, shall forfeit and pay a sum not exceeding one thousand dollars, nor less than fifty dollars.'

Here is the method in which the law may be carried out:

'2. The sum so forfeited may, with the written consent of any judge of the court in which the action is intended to be brought, be sued for and recovered as a debt by any person who first brings his action therefor in any court of competent jurisdiction in which debts of like amount are now recovered.'

In other words, all the procedure necessary is for the person wishing to enforce the Act, not a trade union or corporation, but any individual, simply to get in the first instance the written consent of the judge in the court in which he intends to

bring the action and bring the action as for a debt. There is another clause by which persons are given another opportunity :

> 'Such sum may also, with the written consent, to be obtained *ex parte,* of the Attorney General of the province in which the prosecution is had, or of a judge of a superior or county court, be recovered upon summary conviction before any judge of a county court (being a justice of the peace), or any judge of the sessions of the peace, recorder, police magistrate, or stipendiary magistrate, or any fuctionary, tribunal or persons invested by the proper legislative authority with power to do alone such acts as are usually required to be done by two or more justices of the peace, and acting within the local limits of his or its jurisdiction.'

The reason there are so many parties named there was largely, I think, to meet conditions in British Columbia. It was pointed out that under the law as it was before the parties would first have to write to Ottawa and get the consent of the Attorney General to take proceedings. It was thought that instead of that the consent simply of some judge or some magistrate in the province interested, or in the locality itself, would cause the machinery not to be so cumbersome, and any individual would have it in his power to take action at once. It is clear that the section requiring the consent of the Attorney General was repealed altogether and this other put in its place. It is for this reason that I say Mr. Wilson could not have seen the amendment passed in 1901, or would hardly have advised that proceedings could not be taken under the Act without the consent of the Attorney General.

His Lordship.—One of the cases where the lawyers don't know the law !

Witness.—The communication goes on to state—'We wrote to Sir Charles Hibbert Tupper for information on the subject and ascertain what was to be done. We inclose you a copy of his letter, which explains itself. In other words, the Act is really a dead letter by reason of the means adopted for its enforcement.' Mr. Wilson says that the means are the consent of the Attorney General. Representation was made to the Dominion Government, that in view of that the Act was a dead letter, and it was in view of this that the amendment was put in, so that it would not be a dead letter.

Sir Charles Hibbert Tupper's letter to Mr. Wilson states—'I saw the Minister of Justice, and his attitude confirms the general disaffection to the Alien Labour Act. What he practically says is that these proceedings are under the administration of the Department of Labour, and applications to have proceedings taken must be considered there in the first instance.' Up to that point, I think Sir Hibbert is correct enough. It is provided that in case the conviction is obtained half of the penalty can be given to the party who lays the information. In case the party wishes to recover that amount he has to make application for it. That is turned over to the Department of Labour. We have the administration of that part of the law. When that application comes in the department advises the Receiver General what should be done. I might mention a case in point. At Rossland two actions were brought under this Act as amended, against a party named Geiser; in one case the conviction was $500 and in another case $50. That amount was paid in to the Receiver General. Mr. McDonald, the man who brought the action, sent in an application asking for that money, and the recommendation was to have that money turned over. One of the last letters I wrote under the instructions of the Minister was that as much as possible of those fines should go to Mr. McDonald. That is a case which the department had the administration of.

Sir Hibbert's letter says further : 'This means, of course, a formal presentation of your case to that department.' Sir Hibbert draws that conclusion himself. It is not stated by the Minister of Justice that a formal presentation must be made to the department. 'Then, he says, if it be thought desirable for the Attorney General to intervene in any case, representation for that purpose should emanate from the Depart-

ment of Labour.' That is not a deduction drawn from what the Act says, but evidently from a conversation which he had had.

I may say, if a representation had been made to the Department of Labour what the department would have done would have been to send to the parties a copy of the Act, and also a copy of the amendments, pointing out that the section which originally required the consent of the Attorney General had been repealed and that the machinery for enforcing the Act was set out in this new part. Their attention would have been called to the law and fully explained in that way. That step was taken. There was simply a reply that the law was a dead letter. In this case, which, as far as I know, has been the only one, the penalties were awarded and half the penalty given to the parties who laid the information.

By Mr. Foley:

Q. You speak of the alternative made in this law, and that is offered as an excuse for not enforcing it?—A. It is not offered as an excuse for not enforcing it. It is impossible for the government to initiate actions until the law is amended. The law was so put, I think, very largely at your suggestion.

Q. Why was not the old law enforced?—A. The old law as it originally stood was, to my knowledge, very much enforced. As a matter of fact through the Department of Labour some 70 odd persons were returned from this country to the United States, who were shown to have been brought over here in violation of the Act.

Q. I know we asked for a good deal more in Rossland and it was not complied with. I suppose you are aware of about 800 men being imported into the Slocan?—A. No, I am not aware of any such thing.

His Lordship.—If the labour law was broken to that extent, why didn't somebody lay an information?

Mr. Foley.—That was in the hands of the government at that time.

His Lordship.—I understand the consent of the Attorney General had to be obtained.

Mr. Foley.—This is a protective law. When we desire to have our tariff laws enforced is it necessary that some individual shall lay a complaint or prosecute the parties, or are there officials to look into it?

His Lordship.—That is a question of policy.

Witness.—I would say that the only effort made by the workmen in Rossland to bring the machinery to bear on the situation was in the case I have mentioned. You are speaking of the importation——

Mr. Foley.—No, previous to that, under the old law.

His Lordship.—That is a matter of political arrangement. There is no use going into what took place under the late law.

Mr. Foley.—The witness has stated that at the request of the labour men an alternative has been made. It was made because under the old system the law was being violated and the government was not attempting to enforce it. Then we desired to have it made enforceable.

His Lordship.—It is quite clear under the new law that any one can lay an information with the consent of the magistrate.

Mr. Foley.—Who bears the expense?

His Lordship.—I understand any man who wants to take the action.

Mr. Foley.—I understand this is a criminal complaint. We secured a conviction at Rossland and sustained it. The man affected was over the line before the decision of the judge was returned, and it was absolutely impossible to collect the fine.

Witness.—That is not so, the money was paid.

By Mr. Foley:

Q. Who paid the money in?—A. Undoubtedly the person whom the conviction was obtained against.

Q. The man I know went over the line. Have you any information as to the present violation of this law by the C.P.R.?—A. Has any information been laid before the department? Not that I know of.

Q. Did you have any information as to the law being violated in the trackmen's strike?—A. Yes, and if I remember rightly the parties were informed how they should proceed in connection with the alleged violation.

Q. Why didn't the parties take action?—A. It was in their hands. They evidently did not appear to take it. The law has been amended to do away with any poor working of it. It had been stated it was an extreme method to have to go to Ottawa whenever it had to be enforced, and the law was changed to bring it to every man's door if he wanted to put it into execution.

Q. Take the case of Rossland. Many of these men came from Missouri and Michigan. In order that you shall discover the exact facts of the case it is necessary that a man should be sent down to find out where these men come from. Why was not some arrangement made by the government to appoint some official?—A. Mr. Foley, I have not the making of the laws.

Q. Can you tell me why I was told by the Minister of Justice and Mr. Sifton that a man would go down to Missouri?—A. That is beyond my province.

Q. Is there no law either in the Dominion or provincial governments that forces an official to enforce this law? Was there any understanding arrived at between the Dominion and provincial government as to how this law should be enforced by officials?—A. Absolutely none that I know of. The law was simply passed by the Dominion government and certain machinery provided.

Q. Don't you think it was necessary, under these circumstances, that there should be some provisions made by which the Chief Justice should be compelled to take up this law? Mr. Eberts said the law was not worth the paper it was written on.—A. The law was so framed that in the event of your failing to win or not getting satisfaction there were other parties who could be appealed to. The Attorney General is only one party named for getting permission to enforce the provisions of the law. That very possibility was provided against in expressed terms. I don't know whether it was feared by the government that possibly in applying to one particular judge there might be some difficulty in getting consent, but at any rate the provision was altered enough to get over it——

> 'Such sum may also, with the written consent, to be obtained *ex parte* of the Attorney General of the province in which the prosecution is had, or of a judge of a superior or county court.'

If the Attorney General did not care to give his consent there was opportunity of appeal to a judge of a superior or county court. In the preceding section——

> 'The sum so forfeited may, with the written consent of any judge of the court in which the action is intended to be brought, be sued for and recovered as a debt by any person who first brings his action therefor in any court of competent jurisdiction in which debts of like amount are now recovered.'

There is no need of going to the Attorney General of the province at all. As a matter of fact, I think that representation was made to the government, that parties desiring to enforce this law might find it difficult in going before the Attorney General and getting consent, and these provisions were provided for the very purpose of that contingency.

Q. I may say that the union at Rossland appealed to the Attorney General and he refused to take the matter up. They took the matter up and secured a conviction, and before the conviction was returned the gentleman was on the other side. He came

in under a contract to operate the company for the LeRoi. Don't you think it would have been advisable under these circumstances for the government to go in and find out what connection Bernard McDonald had with it, instead of prosecuting others? I know that is our experience, that Mr. Eberts said it was not worth the paper it was written on.—A. The case you have cited shows the law was worth all it was intended to be worth.

Q. Suppose a miner's union had attempted to prosecute that man and had not secured a conviction and had gone to an expense of $1,000, who was going to remunerate the miners' union for their loss?—A. There would be time to consider that when such a case would arise.

Q. You can see how it would arise?—A. No, I could not. Every case has come out precisely in the opposite way. It seems to me that it was very unfair that a letter written saying the law was a dead letter and that no proceedings could be taken without the consent of the Attorney General, should be set before the Commission as a ground for believing that it was a dead letter.

His Lordship.—That letter was written in complete ignorance of the existing state of the law.

Mr. Foley.—And you tell me that this money has been paid into the hands of the government and had been paid over. As a matter of fact the money has not been paid, and it was the impression that the money would never be paid over.

His Lordship.—That is a matter for the electors. The government can only move within the limits of the law. If you want the union to be notified, why should the government be blamed for that? That question should be raised at the hustings and not here.

Witness.—I said that one of the last acts I performed was to write to the Minister of Justice stating that it was the desire of the Department of Labour that the amount should be paid. Whether the amount has been paid or not I am not sure of. But the letter was sent in view of the fact that the money was paid over by the justice of the peace by whom the conviction was given, and had been sent to Ottawa, and an application was made for half of that money, and I believe that it is the intention of the government in every case, that the party who lays the information shall get all that the law will entitle him to have of the penalty, which is 50 per cent.

Christopher Foley, sworn.

By Mr. Bird:

Q. You are a trades unionist, Mr. Foley.—A. Yes, sir.

By His Lordship:

Q. At that point, are you also a socialist?—A. Not in the general acceptance of the term. As some one said here the other day, I want to know what you mean.

Q. You don't belong to the socialist party?—A. I don't.

Q. But you are a trades unionist?—A. Yes.

Q. You belong to what organization?—A. I belong to the Labourers' Union.

Q. Are you a member of the Western Federation of Miners?—A. No, I am not. I have really never withdrawn, but I have not paid dues for about a year, and don't think of going back to the mines, and hence feel that I have drawn out of it.

By Mr. Bird:

Q. You have had considerable experience in labour matters in British Columbia?—A. Yes.

Q. Do you feel that labour organizations are here to stay, or is trade unionism developing into political action?—A. Yes, so far as I am able to gain information the idea of going into politics is rapidly becoming universal among trade unions.

Q. Have you noticed a spirit developing in labour circles in Vancouver?—A. I have.

Q. What is your idea of the necessity, or is there any necessity for labour men, in your opinion, to get into politics?—A. I certainly believe there is.

Q. Are they suffering under any grievances, or are their conditions such that they need protection or anything of that kind—legislative action?—A. I feel that there are such.

Q. You might explain yourself?—A. As one reason for looking at it from this standpoint, the labouring man is held equally responsible for the existence of the government. He is held equally responsible for the maintenance of this government with the manufacturer or employer. The manufacturer is protected in everything he produces in this country, while the labourer is really receiving no protection. That is one of the chief reasons I look at the matter from that standpoint.

Q. You referred to the Alien Labour Act as a measure of protection. Now, after Mr. King's explanation, you will admit that there is a measure of protection by the Alien Labour Act?—A. So far as I have discovered it is so small as not to be worth much.

Q. The machinery of the law is applied, and it is enforced. What is your objection?—A. Well, I would saddle that upon either the provincial or Dominion governments. When a crime has been committed there is an officer appointed for the special purpose of enforcing the law, and I cannot understand why crime committed against the interests of labour should not be brought to justice by the same process as men who violate and contravene laws against the interests of the employers.

By His Lordship:

Q. As a private prosecutor you would be entitled to put the criminal law into motion. For instance, if a man is guilty in respect of criminal liability you don't tell your trouble to a policeman. You set the law in motion yourself?—A. Yes. But I don't have to pay the expenses of the prosecution, as I understand we have been doing it here. Of course, Mr. King's statement puts the thing in a new light, if the money has been paid over——

Q. Would that make any difference?—A. I don't know that it would.

By Mr. Bird:

Q. Do you think that labouring men should be afforded some extra measure of protection?—A. I do, by all means.

Q. In other words, you say that the machinery of the law if put in force at the expense of the Crown, would be workable ? If an organization of reasonable men were enabled to make a requisition on the provincial authorities that the law should be enforced, you think that would assist matters?—A. I certainly think they should be removed from the expense of prosecuting the case, and I don't understand why they have not the right to lodge complaints.

By His Lordship:

Q. You mean without the consent of some officer?—A. Well, of course.

By Mr. Bird:

Q. If it were lodged by an individual it might be a ground of abuse to the individual prosecutor?—A. Certainly it might, and that is one reason why I looked upon it that there should be some law to protect the men lodging the complaint. The labouring man working for a corporation, such as the C.P.R., for instance, will very often hesitate about making a complaint because it may mean the chopping off of his own head.

Q. Then you think it should not be left to an individual to take the action?—A. No more than lodging the complaint. I think there should be some plan by which he can be sheltered. How, I cannot say. That should be left to men who know more about it.

Q. If the provincial authorities were bound to take up the prosecution at the instance of properly constituted labour men, you would think that would be sufficient to afford a measure of protection for labour?—A. That is probably as far as I can see.

Q. Is there any other protection of labour that you could suggest that would be an alleviation of present conditions?—A. Yes, there are very many of them to my mind. For instance, our manufacturers at present in the east have a lobby in Ottawa trying to force on the government the necessity of increasing the tariff laws. And this same lobby, as I understand it, have got a proposition before the government by which we shall have absolute free trade. I don't know what the result of that will be, but surely there will certainly be a strong opposition. But there should be some relief granted and I think the thing is manifestly unfair. I cannot understand why if a manufacturer is to be protected, labour should not be. They tell me when you protect the manufacturer you are protecting labour. I don't see it. When a manufacturer is protected he is intended to increase the price of the commodity, thus increasing the price of it to labour, while at the same time he is permitted to introduce the cheapest kind of labour to make this commodity, and the result is that only the manufacturer is benefited by protection. And I feel that whenever the manufacturing industry raise the price of a commodity there should be a proportionate increase in the wages of that particular industry.

Q. Now in regard to something that bears on the U.B.R.E. What is your idea of international organization?—A. I believe in the present system. They are absolutely necessary. So long as we have corporations with international affiliations the labour men should have them also. At the time of our trouble in Rossland, I may say —I may say I detest strikes on all occasions, because I believe if you win you are losing in the end. I would state that during our troubles in the Slocan, agents were sent to Michigan and there secured a number of men, the lowest class of labour to be found, many of whom could speak no English at all. These men were accustomed to the lowest form of living. They were brought in in contravention of the Alien Labour Law, the old law. During that time the Western Federation had agents in Michigan, but in spite of that fact I forget how many of them were brought in and placed on the Great Northern Railway. They came to the Canadian line and were transferred to the Canadian authorities, and a new crew put on board of each car. They were then taken on steamboats up the Kootenays, on boats chartered by the company, and sent from there to Kaslo. They were put in what we called the bull-pen until what we called scab-day, Sunday; the wires were not working that day and we were prevented from getting at the fact that they were brought in violation of the law and for the purpose of destroying Canadian unionism.

Q. You think your connection with the Western Federation of Miners helped you in this instance?—A. Yes, and there was another instance in Rossland a little while ago. It is not a matter of whether the men were right or wrong, but the rule seems to apply in that case. I think in the neighbourhood of 900 men were brought in in that case, and during the time that its agents were down working the business up on the other side of the line, the Western Federation had 7 or 8 men employed trying to counteract this movement and give information to these men. We boarded trains at Spokane and found that they were being brought in violation of the laws of the country and for the purpose of crushing Canadian unionism.

Q. You think the C.P.R. is strong enough to fight any organization?—A. I consider there is no labour organization on earth to-day, and it is not my opinion alone, that there is not a labour union that cannot be crushed if capital feels like expending sufficient money to do it.

CHRISTOPHER FOLEY—Vancouver, June 10.

Q. Do you mean to say you think it is necessary that men on the C.P.R. should be entitled to join unions for the purpose of self-protection?—A. I certainly think it is in their interests to do so, and certainly so long as the government refuses to prevent employers from using the alien club to whip them into subjection, they should certainly be permitted to affiliate with those controlling that club on the other side of the line to protect themselves.

By Mr. Rowe:

Q. Then do you mean to say that a proper alien law would remove the necessity for international affiliation?—A. To a large extent it would, but we are living close to the boundary line, and in going down from here to Seattle you have got to join a new organization there. Men coming from the other side of the line are handicapped in the same way.

By His Lordship:

Q. You are aware that the miners at Fernie and adjoining places have surrendered the Western Federation charter?—A. I am. The reason, in my opinion, is that there are several of the most prominent leaders socialists, revolutionary socialists of the most dangerous order. What I mean by that is not what is called British Columbia socialists. I mean the socialist labour party. While there is a good many men among them who are not, I feel that there are a good many men who are a danger to the community. I consider there were a good many men who were dissatisfied with the settlement there, and because the Western Federation virtually refused to support them. After the evidence began they succeeded in pulling their members out of the union. While there is a considerable element of conservative men among them, over one-half of the men are Slavs and Dagoes brought in for the purpose of cutting American wages down. This class composes a very large portion of that organization and they are generally more aggressive and are better talkers and wield a powerful influence. At the time we effected that settlement there we were blackened men, particularly for the part we had taken in it, and I felt what occurred there demonstrates the necessity of compulsory investigation. We had worked there for nearly three weeks without effecting anything and finally decided to throw the matter up, but before doing so it was decided to take testimony under oath, and we got more than 33 different witnesses to give testimony. Previous to this we had been with Mr. Tonkin. I claim he was to blame for the strike, because of the bitter attitude he took toward the strike. He will not live up to his agreements unless he is compelled to. It was owing to the fact largely that he had persecuted these men that they became so radical. At any rate we managed to effect a settlement, and Mr. Tonkin conceded nearly everything the men asked for, with the exception of the wages. Then we went into an investigation of the wages and succeeded in demonstrating that the average wage was $3.69 a day. Having conceded everything else—and nearly everything he conceded was fair and just—we felt that with such a wage as that prevailing there that they would not be justified in striking. Mr. Doherty, who was elected president of the district union here, discovered that the wages were fully on an average with those prevailing on the Island and elsewhere and says, 'gentlemen, the Western Federation will not sustain you in a strike under these circumstances. The wages being $3.69, which is considerably over the average wage of the country, the Western Federation will not sustain you in a strike under these circumstances," and it was largely owing to the stand taken by Mr. Doherty that these men have pulled out. Previous to this time the Western Federation had not only put up some $1,000 to the strike, and further than that, the Western Federation are not a mine, they have not got the money to fight these things that many people give them credit for. Their money is mostly raised by levying assessments on their members.

CHRISTOPHER FOLEY—Vancouver, June 10.

By Mr. Rowe:

Q. Is not the United Mine Workers a more conservative organization than the Western Federation of Miners?—A. I am not as familiar with them as I am with the Western Federation. I should judge they are more so, but I wish to call your attention to this fact, to show you that the Western Federation are not as black as they are represented to be. To show you the conception the Western Federation takes of these things: Although we have had trouble at the Cœur d'Alenes in which they are not in an enviable position. At the time we had trouble owing to what is known as the contract system, some three or four years ago I was a member of the executive board and was on that board for some two or three years. We succeeded in effecting a settlement under the contract system, and I would say one of the chief reasons why the labouring man is opposed to a contract system is because of the fact that each man is pitted against the other in the mine, and finally a point is reached where a man is doing everything possible to do. He has made a standard, and any man who cannot live up to that standard cannot hold his job. Men are marked at $5 a day who could tell you they are doing fully two days' average work to accomplish it. The men instrumental in introducing that, who were more or less the men at the head of this trouble, were imported from the other side of the line. Some of them we believe were imported because of their reputation as fighters in the past. At any rate we saw plainly that if we adopted—that is if we rejected the contract system coming before the committee, that such a rejection, unless the system was rejected by other mining camps in the country, would place us in a position where we would not get public sympathy. That is one of the reasons why myself and a few others accepted the offer of the management. I generally got the credit of settling this. No sooner was the matter settled than some five or six men—good Canadians, some Nova Scotia, others English, and two or three Irishmen—they were not Americans—than they commenced pulling wires at Denver, and began branding me as a traitor; I had sold out to the company, and all that sort of thing; some of them paid a visit to Denver, and when the next convention came on letters were heaped on me for the purpose of doing me up, as they put it. When this became known to the convention and they were electing members to the convention, I desired to pull out, because I knew I had had trouble enough, but they would not permit anything of the kind. A motion was made when they were electing members of the executive, again placing me on the board, and I declined the nomination, and they insisted that I should run. That motion was seconded and carried almost by a unanimous vote. The mover and seconder were Americans. And it was stated that these men had tried to get their auger into Mr. Foley, and we want to show how we think of Mr. Foley. That is the position they took.

By Mr. Rowe:

Q. That is to say, they sustained you in preventing a strike?—A. Yes.

Q. Have you got any opinion as to the recent change in the constitution at the recent convention?—A. No, I have not, but the second last convention, the one before this, I believe, they endorsed the socialist platform; but in advising that platform, I don't consider they are altogether endorsing socialism. The principles of the socialist platform I am ready to endorse myself to a large extent, but the methods which the socialists have of advocating their case I entirely disapprove of. I believe in evolutionary methods of bringing these things about. My interest is with co-operation and that socially one shall be the equal of all, as a Christian holds to the universal brotherhood of man.

Q. Do you think one is possible without the other?—A. I don't. I believe that the two are interdependent upon each other, and I believe one of the reasons why the church has not succeeded in establishing the golden rule to a large extent is because they have neglected the economic aspect of these things too much. My idea of moving in that direction would be by the government expropriating, not confiscating, the

railways, the coal mines, telegraphs, street railways, waterworks—all these things should become the property of the public. Then, I believe in the application of the single tax to the land, in order to compel the land-grabber to let go. I believe in establishing a condition under which the interest of each would be the interest of all. I think that is all we could expect to accomplish in this century, and by that time they will be able to take another step. That is my idea.

Q. In asking you about the constitution, I had reference to a passage printed in yesterday's paper in reference to a change in the constitution. Are you in a position to say anything about that?—A. I may have seen it, but I don't remember exactly what it was, now.

Q. You don't believe in strikes or sympathetic strikes?—A. Under certain conditions, but they have to be extreme conditions. I would not approve of a sympathetic strike only as a last extreme. Suppose it were demonstrated to me that a union were struggling for existence, as in the case of the U.B.R.E. here, say. If these men are demanding nothing but the right to exist as an organization, and if the C.P.R. are determined to crush them, I believe that is a matter that all labour unions should take up, and if they don't go on strike, it would be a matter of policy rather than of wrong.

Q. Is it not hard on the other, too?—A. Yes, but as General Sherman said, 'War is cruel at its best, and you cannot refine it.' The result of the strike is the lowering of the money power of the labourer.

By His Lordship:

Q. Do you think, where an employer has got a contract with a body of men, should this contract be broken by reason of a strike elsewhere?—A. No, I cannot say that I approve of that. I cannot say that I have seen a case yet that I would approve of.

Q. It seems to me that it would be a parody on all things, if we cannot get a position where a contract is absolutely safe, except in the case of war?—A. Yes, but if the existence of an organization is threatened by a corporation, and if the government refuses to protect them—either recognized by the government as being a legal body—then it raises the question, to my mind, whether serious and harsh measures should be resorted to.

Q. This is not harshness; it is a lack of faith?—A. We have international laws that are often broken also. I don't think our government has always lived up to their agreement. I cannot recall anything just now, but I know there are several in my mind, and if such method as that is to be by opinion they are setting a bad example.

By Mr. Davis:

Q. What agreement are you referring to as having been broken?—A. I said I could not recall a single instance, but I have not got them in my mind.

Q. I don't think you can produce one where the English government has broken an agreement?—A. I guess you will admit that the English government has not lived up to the Christian teachings. I was going to call your attention to the war of 1844 with China over the opium business.

Q. We were talking about contracts, and I challenge you to mention a contract broken by the British government?—A. I cannot recall one, but I am satisfied I can produce them. They may not have been broken in their entirety but certainly partially so.

By Mr. Rowe:

Q. Then I understand there are circumstances under which a union's regard for another union will be paramount to its own contract with its employers?—A. When a man's interests are at stake and a man has a knife to his throat he does not stop to think when he strikes back; he considers what the effect will be on his own brother-

hood, and that is the case of the U.B.R.E. as I understand it. If these men demand anything further than recognition, and even if they ask for wages they have asked for nothing but the right to exist, I feel that the government is guilty of treason to that organization and the workmen to refuse protection to them in that position.

Q. What is your opinion as to incorporation of unions?—A. I believe they should be, but not until we have a compulsory arbitration law. I am a believer also in that.

Q. Then you think the government should not be compelled to take any interest in a body that has no legal interests?—A. I have not taken that into consideration. The government certainly recognizes the men's right to become an organization, and if a company as powerful as the C.P.R. attempts to deprive them of that right it seems to me it is the duty of the government to protect them in that position.

By His Lordship:

Q. That is up to the law-making body; the government has nothing to do with that?—A. I am not familiar with that.

Mr. BIRD.—If the U.B.R.E. does not exist, the C.P.R. should have no objection to letting them exist. Why should they take into consideration the fact that these men claim they exist.

Mr. ROWE.—I guess the C.P.R. claim they do.

By His Lordship:

Q. Do you believe with the last witness that society is divided into the toilers and the spoilers?—A. No, there are a good many things that I don't endorse. I cannot say that I agree with this idea that all profit shall cease to exist until we have changed the whole system. I feel that a piece of machinery or anything else a man possesses, if honestly acquired rightly, belongs to him, and if that piece of machinery is engaged in co-operative production that man is entitled to the profit, I think the man with a machine is entitled to part of it, but it is the proportion of the division that I object to.

VANCOUVER, June 11, 1903.

HIS LORDSHIP.—Owing to the fact that negotiations for settlement have not yet been finally reached, the Commission has thought it well not to enter into any contentious evidence. The evidence we would like to hear now would be evidence generally on the subject of conditions of unions or on the subject of compulsory arbitration. By the way, Mr. Quigley is here with some more telegrams, I understand.

M. T. QUIGLEY, recalled:

By His Lordship:

Q. Have you any more telegrams?—A. Yes, I have 135. I have not had an opportunity of making a list of these telegrams. I would like to get a list and receipt. [There were 17 on Friday and 135 to-day. I would like to ask if we will get the telegrams back sometime or other?

HIS LORDSHIP.—I think so, after the Commission is through.

(Telegram put in as Exhibit 62.)

M. T. QUIGLEY—Vancouver, June 11.

CHRISTOPHER FOLEY, recalled.

WITNESS.—I would just like to read a letter that I received last evening from a man I mentioned here yesterday, who was instrumental, in my opinion, more than any other individual in the settlement of that strike at Fernie, and who is an American, or was at the time of the district union of the Western Federation of Miners in this province. I will just read some extracts from the letter to show the kind of men we have to deal with:—

> 'I might add that since my return from Fernie I have been accused of everything but murder, and possibly that if the truth were known; they are at present writing to all parts of the country, trying to find out where I scabbed and betrayed labour, and the only thing that makes me hang on is the fact that if I were to resign now they would say that I was afraid to have my record inquired into, but just as soon as they succeed in satisfying themselves that I am not what they have accused me of, I will resign, and then I will consider myself a free man, and will be in a position to give vent to my feelings, which I will do in no gentle manner. I have been referred to as Chris. Foley and Ralph Smith, and all the other labour leaders who are out for the pap.
>
> 'To give you an idea of the class of men that I have to fight in this locality, I need only refer to your esteemed and worthy friend, Mr. Fred Hazelwood, Mr. Mike McAndrew, a crazy butcher, and an insane telegraph operator.'

Now there is a class of men, and they are not Americans, but Canadians, Englishmen, Irishmen and Scotchmen. I am not using this to cast any reflection on any of these, but to show you that the assertion made here that all this trouble is the result of the position taken by American labour agitators is a mistake.

I desire to reply to a question asked me by my learned friend. He wanted me to point out a single instance where our government violated an agreement. I would recall the gentleman's memory to the case of the Alabama, a Confederate vessel built in English waters, and permitted to escape from those waters and prey upon American commerce for several years, destroying millions of dollars worth of property. After the war was over the Americans brought a claim against the British government for damages, and the arbitration awarded them some fifteen millions as near as I can remember, virtually admitting that they had violated their agreement with the American government. There is one. I will quote two more. During the wars of Napoleon at one time it was thought by the British government that Napoleon was about to take possession of the Danish fleet, and immediately the British government fleet was sent over to Denmark, taking the fleet by absolute force. Next we come to Cuba some few years ago. Some twenty-five Americans were under arrest and were to be shot. A British man-of-war laid out in the harbour, and she immediately trained her guns on Havana and told them that if these men were killed she would blow the city out of existence. I heartily endorse that stand taken by the captain, but we violated our agreement with the Spanish government just the same. I think that is a sufficient reply to that.

I may state, while speaking of this violation of agreements, at the time we settled our difficulties over the contract system in Rossland some few years ago, Mr. Kirby gave us his assurance, as did all the other managers, that they would not discriminate against any of their workmen, and yet I am positively certain he did so. He continued to gradually discharge one man after the other, while giving no particular reason for it, and finally he succeeded in replacing nearly every mucker in the mine with a Dago, and wherever practical every miner, generally with men who could scarcely speak the English tongue. Then again I would state that during that trouble in connection with alien importation, special police to the number of some 15 or 20 were brought in from the other side of the line, connected with the Pinkertons ; not belonging to that force

but connected with it. These men were brought in and placed on the hill to intimidate Canadian citizens. These were foreigners. If a mining company is permitted to import a foreigner to intimidate Canadian labour, I want to know why we are not to be permitted to affiliate with organizations on the other side to protest against such things.

The next thing that occurs to me is this : It is said that to violate a contract is a great crime. It is true, and I am not here to defend the violation of contracts. I never violated a contract in my life that I remember of, because in doing so you are violating the golden rule, but there is a law higher even than the golden rule, and that law is the right to exist. The golden rule is absolutely useless if you have no right to exist. The foremost law of all is that a man shall have the right to exist, and in defence of that right I feel you have the right to appeal to almost every means to do so. That is why I justify labour organizations when their existence is threatened with even breaking a contract to maintain their existence.

Here is another matter bearing on this: the Australian strike. I will show you the position held in these matters. The government owns the railways in Australia. They have paid their men there a higher wage rate than what prevails in other countries and they give them better conditions, but in Australia they had a drought for several years, and things have been in a deplorable condition, everyone out of employment and no money to be had under any condition. It was deemed advisable to reduce the wages of the employees on the railway. The employees, having a monopoly of that business refused and went on strike, with the result that they tied up all the industries in the country. This necessitated very drastic measures and they introduced a law something to this effect : making it a criminal offence for more than six men to assemble and discuss the question of going on strike. Had I been a member of the legislature of Australia they would certainly have received my support. But I would apply it the same way: when a man like Mr. Dunsmuir tries to tie this company up by refusing to recognize a union I would take that gentleman by the throat also.

Now our banks have got the rule, and it is practically in force, prohibiting the marriage of those men working for them until their salary reaches a certain point. This seeems an interference to me with individual liberty. And yet if these men organized for the purpose of bettering their condition, of enabling themselves to marry, the Bank of Montreal would immediately discharge every one of them, and they would be called agitators for so doing. I would not work for any corporation that would deny me the right to marry, and I submit that a government that permits such a thing as this is not fulfilling its duties to its citizens.

Now I would like to call your attention to another thing. During our troubles in the Slocan the mine owners employed foreign newspaper men, among others Mr. O'Farrell from Montana, for the purpose of blackening the character of the labour leaders there. We were all represented as blacklegs and aliens and outcasts from the Cœur d'Alenes, and the English language was exhausted for something that would express the contempt they believed we should be held in. The statements were not true. There was not a single man in that move who were Americans. They were mostly all Canadians, and yet our Miners' Association went over to the other side of the line and hired aliens to blacken our character. Are we justified in affiliating with Americans on the other side in order to prevent this ?

We are accused, again, of permitting violence. While we are unable to bring it directly home I feel there has been a little violence in this city, pointing in a certain direction, probably not endorsed by them, but they were instrumental in bringing it about and labour unions have never done similarly. They do not endorse these things, but violence has occurred rather outside of their administration because they have never endorsed such conduct.

We are told that union men should not be permitted to interfere with employers' business. I hold to that, and I hold also that the employer shall not interfere with

the union men's businesss. This thing works both ways. I cannot understand why if Mr. Marpole wishes to interfere with this business of the U.B.R.E. they have not a right to interfere with his business. It seems to me the thing should work both ways. From what I can learn Mr. Marpole had spotters in the union. I don't know whether these gentlemen were spotted or not, our experience has been that these kind of men came from the other side. I don't know whether Canadians would do these things or not.

I am opposed, absolutely opposed to labour organizations in the abstract, and insist upon their existence only because it is absolutely necessary that they shall protect themselves. The principle is wrong, it is a monopoly, it protects the strong as against the weak. The same argument applies to secret societies as far as I am aware. If you join a secret organization the first thing you are asked to do is to have an examination by the best physician that can be got. If he decides that you are all right you are received with open arms, but you are rejected if weak. These organizations pose as Christian organizations. I don't believe it. Labour organizations protect the strong as against the weak, and that is one reason why I believe we should have a compulsory arbitration law in this country. Labour organizations as they are working to-day will very soon have brought about conditions by which only the strongest men can possibly obtain employment. This is certainly naturally wrong and it is time the government of this country adopted some method by which provision might be made for the weak and old. I to-day have arrived at an age where I cannot obtain employment, and I think I have a right to live for a few years yet in this world. But it is necessary that men should organize in order to protect themselves and prevent these conditions from getting worse.

Now we are told by anti-compulsory arbitrationists that it interferes with individual labour. There is not a law on our books which does not interfere more or less with individual labour. Next we are told it is not workable, yet we learn it is working in New Zealand and in Australia. It has not had time there to show what it can do. We hear very little, in the reports from New Zealand of the unsatisfactory condition of affairs, but we don't hear of the repeal of the law which shows it is giving some degree of satisfaction. With the compulsory arbitration law under the present conditions, I fear that the arbitration board might be trying to have labour get the worst of it. In a deal of this kind it will pay labour to get into politics and see that judges are appointed who will do justice.

By Mr. Rowe :

Q. Do I understand, Mr. Foley, that you mean to imply that with the gentlemen we have on the bench now that it would be impossible to get a fair tribunal?—A. Not exactly that, but I would say this : That the power that wealth has got to create to-day, there is identically the same power to create judges to-day that there will be to create an arbitration board. That is no excuse for our repealing the laws.

Q. Were you ever impressed in any particular case that this power was used ?—A. I do not know that I can mention a case just at present, but I certainly believe that the education of the judge and his surroundings has been such that he did not thoroughly appreciate the other side of the question. Having lived among a certain quality of the community, and our judges are as a rule largely the sons of men well-off—they belong largely to the upper class of society, and such men as that their natural sympathies would hardly be with the labouring men, as a rule, although there are exceptions.

Q. I don't know, but letting my mind run over the bench in several of the provinces, I think there are a few who have had that characteristic, but fellows of that class don't work hard enough to get to the bench ?—A. They may not have a great number of men belonging to the middle class of society; a great many men have sprung from the lower classes of society. You take the workingman's son and place him in school. He is now in touch with the labour men. He goes from school to college and when he

is graduated his natural tendency will be to associate with the more educated class, and his sympathy will naturally be with them instead of the lower classes.

Q. How are you going to remedy it ?—A. We will just have to make a selection. I did not say they were all bad by any means, but we have to be in a position that if we have any positive or really good evidence to believe that a man has not dealt fairly with us we will be in a position to use our information, and have that gentleman removed and replaced by a man whom we would believe would be fair to us.

Q. Was there ever a judgment given in which you thought the issue was unfairly decided because the judge was influenced by the social condition of one of the claimants ?—A. Yes, in Rossland. I cannot recall his name now.

By Mr. Davis :

Q. What court?—A. The police court.

Q. We are not talking of police court magistrates ?—A. I did not understand but that this applied to all judges.

By Mr. Rowe :

Q. I was speaking of judges, and what I wanted to find out was whether you as a representative labour man held that position ?—A. Judge Boultbee was the man I referred to, and the case was in connection with the Beamish case up there, where a man was arrested for violating certain laws. Returning to your question, I cannot recall of a single instance, although I am under the impression there are two or three in which I have a very strong suspicion that they were controlled by class prejudice or perhaps by a money consideration. I cannot recall them now. They are very few I will admit.

Q. You are a man who is a close observer, have a good memory and able to form an intelligent impression. From the fact that you cannot state a case, possibly there is not much ground for that impression ?—A. I will call your attention to one instance in Rossland and you can judge for yourself. The judge is dead now, and probably it is wrong to mention his name, but at any rate we had an explosion up there in the Le Roi mine. An engineer who was not onto his business ran the cage too high and broke the gate. The day before this explosion happened one of the guide rails had been taken out in order to repair the cage and the guide rail was not replaced. The result was the cage a few days later was run into the shaft and the clutches having nothing to clutch, the timber being removed, the cage went down. There were four men working in the bottom of the shaft. The bulkhead was immediately broken, according to the testimony of miners I know. The cage weighed about four tons and went down and knocked out a couple of carloads of timber. All this was piled on top of these men. None of them were killed, but several were crippled for life. The judge rendered a decision that according to the laws of British Columbia the company could not be held responsible for the mistake made by its engineer. In the next place he held that in the sense in which he read the law—and the law read that all reasonable provisions shall be made to safeguard the life and limb of the men in the shaft—he said that by no manner of means can you place the construction upon the reading of the law that the cage was falling material. It is possible under some circumstances it might not be falling material, but certainly when it broke loose it was falling material, and if that was not falling material, then the bulkhead, consisting of about half a carload of timber would certainly be falling material, and in addition to that there were tons of rock falling on the men. The case was thrown out of court, but on appeal was taken to the Supreme Court. In any case a decision was given for the complainant.

By Mr. Davis :

Q. Surely you don't suggest that the judge who tried that case was receiving anything ?—A. I don't pretend to say that he was paid, but I say these judges were not in a position to understand that position.

CHRISTOPHER FOLEY—Vancouver, June 11.

Q. You are setting up your knowledge of the law. It was a question of a point of law and nothing else, and because you think that he was wrong in his law, you think there is something behind it ?—A. Why was the judgment reversed ?

Q. They are reversed every day, but nobody suggests that there has been any bad motives on the part of the judges ?—A. I am giving you my reasons for my suspicion. Can I help having suspicions. I understand that position better than the judges do. I do not quite understand the law but I understand the position, and I think I am better capable of judging whether that was falling material than they were.

By Mr. Rowe :

Q. Supposing your suspicions were justified, there are very few cases out of the total number of cases, but I wanted to get at your view. The difficulty in the men or in a court of arbitration is not as great as they think ?—A. In my mind, I don't think it is. I have a better opinion of the judges in this country than probably a good many have. Probably there may be cases where they err, at the same time I believe they are very rare, if we are to retain our present laws on our statute books and have our judges act on them there is no reason why we cannot employ another statute and have other judges appointed.

Q. Do you believe in compulsory arbitration ?—A. Yes.

Q. I understand you would have a representative of each party and the third arbitrator a judge ?—A. I consider a case of that kind cannot be tried in any other way.

Q. Would the parties to the complaint take the initiative or should the government ?—A. I think the two parties.

Q. What about the state ? Could the state intervene without invitation ?—A. As I understand the New Zealand system the state does not intervene unless called upon to do so.

Q. You would have such a law involve the registration of unions?—A. Yes, sir.

Q. Would you have this preceded by attempted conciliation ?—A. I would.

Q. At what point would arbitration be brought in ?—A. When conciliation failed.

Q. Would you make the law necessary to have notice given so that cases should be taken up before the strike really became acute ?—A. I would. I wish to call your attention to one thing in connection with compulsory arbitration. I have always favoured it. When we had this experience in Fernie a short time ago we tried to deal with difficulty and failed until we took evidence under oath. Then the matter appeared in a different light and both parties became more amenable to reason. After we had very nearly effected a settlement, there were two men who both had previously been engaged doing dirty work for Mr. Tonkin, and bringing in men from the other side of the line. The union did not know these men were engaged in this business, and while looking over the papers we discovered this man's name and commenced inquiry about it, and Mr. Tonkin said, that fellow—he called him by a little different name—has been in my employ some time, and he imported or at least shipped in here some 25 or 30 men sometime ago. He gave us a very bad reputation to the men. This matter was brought up by the executive a little later on. Here was this man a member of the executive board, and yet he had been playing into the company's hands. My impression was that there had been some dispute with Mr. Tonkin over money matters, and he thought he would get even on Mr. Tonkin by advocating a strike, and having a tremendous influence over the Slavs there he was in a position, between him and the other fellow, to tie that country up. He was in a position to have done this, and that is what convinces me that compulsory arbitration is absolutely necessary.

Q. Compulsory investigation—power to investigate troubles ?—A. Yes.

R. MARPOLE, sworn.

By His Lordship:

Q. What office do you hold in the C.P.R.?—A. General superintendent of the Pacific division.

Q. Would you say succinctly the position of the railway company towards the question of forming unions on its road?—A. The matter of unionism with us is simply a matter pertaining to the men themselves. As I publicly declared, we are not antagonistic to unions. That would be evidenced by the fact that we have no less than 8 or 10 agreements at the present time with our men. We make contracts with men who are members of a union by means of a committee.

Q. Why with committees, rather than with the unions?—A. For the simple reason that a committee might be formed of non-union as well as union. We ask no questions of a committee of employees who come before us where all the members of that committee are members of a union, but we do recognize the right of a union to present grievances to us through the head of their order, and that any matter of investigation in the case of grievances shall be conducted with another member of the union present. As I said before, we have no contracts with any union.

Q. What difficulty do you feel in relation to the U.B.R.E. union?—A. For the good reason that it was unwieldy and something we had never seen before conducted. That is an attempt to form an order and take in every man on a railway as an order itself. We find that the difficulty would be that the majority of the men in the other unions—nearly all the unions would object to any such arrangement between us and them.

Q. The existing unions?—A. Yes.

Q. Then your position is that you don't object to unions?—A. Not unions—not among men of their own class.

Q. What you call class unions?—A. Yes, class unions.

Q. And by class unions you mean bodies of men who are governed by some one official of the road?—A. Bodies of men engaged in one class of work.

Q. The idea being, I suppose, that these men in their various unions would have their grievances settled by the official of the department overlooking that class of work?—A. Exactly.

Q. And you find that that kind of union does not interfere with the management?—A. As far as I have experienced on this division.

Q. And the objection to a union like the U.B.R.E. is that the men unite indiscriminately?—A. It would be a union covering all class of employees, and necessarily, in my opinion, would be most unhealthy. It would also have the inherent difficulty of being controlled by a union on the other side of the line.

Q. Do you mean by unhealthy that it would be difficult for the officials of the departments to deal with?—A. No, I think it would be more difficult with the men in arriving at settlements of difficulties. In case of an engineman having a grievance: If we were bound to take a committee from the U.B.R.E. it might have for a leader a labourer in the shop, or a car-wiper might appear on the committee and know little about the matter, and who was subordinate to the men directly affected, as is the case now.

Q. And you think a committee of enginemen or firemen would be better able to deal with the matter, at all events from their point of view?—A. From mine too.

Q. I gather from what you say that the present unions objected to being engulfed by the U.B.R.E.?—A. They objected to an amalgamation.

Q. They prefer a class union?—A. As it is at present, yes.

Q. You have had considerable experience with strikes, I suppose?—A. Yes, in the last 6 or 8 years.

Q. Have you considered the question of how they can be best prevented?—A. Yes, I have thought seriously over it, and I have formed the opinion that they should

differentiate between what I call public service corporations and ordinary industries. In the case of public service corporations, I think compulsory arbitration should be insisted on. I would call the railways, street railways, telephone and shipping, public service corporations.

Q. And you think compulsory arbitration is the proper method of settling strikes?—A. On public service corporations.

Q. How would you constitute the board?—A. I would constitute the board as I understand it is done in New South Wales, by the appointment of a Supreme Court judge. As I understand the law there, Chief Justice McMahon is chairman of the board, and my idea is that the same should be done in this country, if this is practicable to the other arbitrators appointed by each side to the dispute.

Q. And that the judge be chairman?—A. Yes.

Q. Would you have compulsory arbitration available at the instance of either party?—A. Yes, and to anticipate the trouble instead of waiting until it ensues—the strike, for instance. Unfortunately the public suffer while the two parties stand and look at each other. I saw an article by Mr. Charles Francis Adams which was clever, upon this subject, but it did not provide for anticipating trouble——

Q. You think some machinery should be provided when trouble is threatened?—A. That is my idea. I don't think conciliation boards would do, particularly when each side knows they could have arbitration and settle it. It seems to me to be futile to attempt conciliation, particularly where large bodies are concerned, because the parties who think they are right would do nothing with the conciliation board.

Q. Would you say when three or four men demanded a raise in wages that the machinery of the state should be called in?—A. No, I am talking about incorporated unions.

Q. You think compulsory arbitration has this tendency—the incorporation of unions?—A. Certainly.

Q. Suppose you have ten men asking for a raise of wages?—A. You could not have a union of ten men. Individual troubles of that kind would rectify themselves. But I am speaking of any union incorporated, and representing a majority of the employees.

Q. In your opinion compulsory arbitration would be valuable only as against incorporated unions?—A. So far as I can see now. I cannot see where the responsibility would be on the order composed of only a few men.

Q. Would you have a special judge appointed as chairman of these bodies?—A. I would have one of the Supreme Court judges selected.

Q. Would you have the same man or a different man?—A. I would have the same judge. Because he would become identified and thoroughly understand labour or industrial troubles.

Q. From remarks dropped by the previous witness the fact seeemed to be that the judge cannot appreciate the situation in this country?—A. That is a peculiar idea that some people have of the judiciary of this or any other country. I am glad to say it is not my experience personally.

Q. I am afraid that law would not meet with the approval of the labour people?—A. That is unfortunate certainly. It is certainly a fact that government will have to devise some law, because I take the ground that the president of the railway or the organization has no right to stop the public service. I have seen it done on very slight provocation. It has no right to let the third party suffer.

Q. What do you say as to compulsory investigation of disputes?—A. I have seen the suggestion made in the United States on some of these lines that rather attracted me. It would be for the purpose of giving the public a clear idea of the controversy, as I understand it. For instance, it has been suggested by Mr. Ramsay of the Wabash, that a law should be passed that no man engaged on the railways should throw up his job within thirty days, to allow of a public investigation. His decision in that came from the fact that an injunction was granted by the court to restrain men

from striking, and the result was that the men came together, a statement was given and everything patched up. It came from their being prevented from striking.

Q. Have you ever considered how the award is to be enforced ?—A. If they are incorporated ?

Q. What is to prevent the men from soldiering, suppose they don't consider the award just ? How can any court reach that ?—A. They could do that in any case, if men as a body choose to do that, but I am pleased to say that we have had no man who has attempted to do that.

Q. Suppose the railway considered the award unjust ?—A. They should be punished, of course. Under New Zealand conciliation, I understand there are penalties applied to either the men or the corporation. The framing of such a law would be something we should take from the experience of other countries, but the fact remains unmistakably that some such law is necessary, whether as a court to investigate for the purpose of showing which party is in the wrong, or else compulsory to settle disputes. I have not the slightest doubt but that an early investigation properly conducted, compulsory investigation, if you choose to put it that way, would have a beneficial effect on both sides, and certainly the side that is in the wrong.

Q. What would you say to compelling both parties to the controversy to file a statement of their grievances in some public office ?—A. That would be a good thing to do. If compulsory arbitration cannot be had, if there is a law compelling them to publish their case that would be beneficial, and I believe would stop a lot of the troubles now existing.

Q. Suppose the men should give a certain number of days' notice before they should be allowed to go out on strike; that they should file a statement of their grievances in the office, say of the Supreme Court where everybody could see it, and a certain time afterwards the company be compelled to answer that statement, would that not be a good plan ?—A. Yes, it would be.

Q. Then the attention of the public would at once be drawn to the controversy, and would soon begin to form an opinion about it ?—A. Yes, and public opinion would have a great deal to do with determining the action of the corporation or the men.

Q. And failing a settlement you could have either compulsory investigation or compulsory arbitration ?—A. Yes.

Q. To what class of undertakings would you apply this compulsory arbitration ? —A. I believe, to public service corporations. I would take telephones—anything to which a franchise is given, or in which the public are directly interested. We have had experience in this city where the public suffered from these troubles. And the same with waterworks, and the same with the street railways.

Q. With the number of strikes occurring recently it would take a judge his whole time looking after them ?—A. No, I disagree with you, my Lord. They would probably get together and avoid so many strikes. They would be afraid of the courts, at all events. I know it would be the last thing I would like to do, to appear before a court of arbitration with my case, unless I knew it was absolutely right. I would try to compromise before that.

Q. What do you say as to the fear of the union that they would be harassed with legislation ?—A. The court would protect that. The law would be settled by arbitration the same as it is with disputes between myself and other men. You make a judicial investigation—there is no getting away from that. If no union or corporation is afraid of the law there is no use talking about any from of judicial investigation or arbitration.

Q. I think Mr. Russell's point was that there seemed to be a fear on the part of incorporated unions that they would be a target for instant litigation. They would be the weaker party and a corporation like the C.P.R. would keep them in hot water ?—A. Yes, but the law is inaugurated in the Dominion or Federal House and surely the members of the cabinet are not going to permit that to occur. If such a

thing would be done once or twice I fancy that law would be repealed or else corrected in such a way to make it difficult for the corporation to pursue such a policy.

By Mr. Rowe :

Q. I suppose you would include coal mines ?—A. Yes, I would for the reason that that subject would include public carriers.

By His Lordship :

Q. Would you make it possible for the state to initiate proceedings if necessary ? —A. At a certain stage, I should think so. If it became apparent that the public were to be inconvenienced. That would be the time. As I mentioned a moment ago, it does not seem an honourable thing that an individual in charge of them or any individual should stop industry to the detriment of the third party who I say does suffer.

Q. I think there was a time here last summer when transportation was crowded, mines closed up, and fishing stopped?—A. Yes, in which the province suffered financially and by reputation.

By Mr. Rowe :

Q. You think the state should step in and say, you have to operate these industries or give them to somebody who can?—A. That is my view.

Q. What effect do you think unionism has upon men ?—A. The older they get the more conservative they are.

Q. How does it effect them as employees in relation to the company?—A. I don't notice any difference of that kind. I have noticed in some cases it has been an improvement in their habits. I know of several cases of men who have been poor workmen or disgracing themselves have been disciplined by their orders. Lots of the labour unions are very strict on that. They will not have in their union men of intoxicating habits to excess. I think if they are properly constituted and controlled they are of interest to the company. As I said the younger unions are inclined to be indiscreet with their powers. But in the older unions men become more conservative. That is my experience for twenty years.

Q. When you spoke about foreign control, does that not apply to the older unions ? A. No, I don't know of any union extending from one end to the other in the same way as the U. B. R. E. You take the Western Federation of Miners, and take the American Labour Union, they are all affiliated with U. B. R. E., or at least the U. B. R. E. is affiliated with them, controlled in a measure, but I know of no other union controlled that way.

By His Lordship :

Q. The engineers belong to an international union ?—A. Yes, but they are not affiliated with any other.

Q. Their headquarters are in the United States?—A. Oh, yes, their headquarters are there, but Estes is the first international leader I have seen. They don't interfere. They settle the matter by their own local union. They refer to the international as a last resort. In the event of strike being threatened, they often call in their president or someone in authority.

By Mr. Rowe :

Q. It is likely you would have seen the international leader if you had had a strike ?—A. Well, we had strikes, but I never saw one. As I repeated to you, I never saw one interfere before.

Q. They seem to have autonomy ?—A. Yes.

R. MARPOLE—Vancouver, June 11.

Q. The engineers could settle their dispute with you if they went on strike without referring the matter to headquarters?—A. Yes. You mean the engineers of this division could settle with me?

Q. Yes?—A. They could only come out with me on the question of rates, and without reference to anybody else. If it was a general strike over the system I don't know what the rules are.

Q. The men here don't have to get the approval of somebody outside to settle?—A. Not as far as I know.

His Lordship.—If there is anything more that Mr. Marpole would like to state we would be glad to hear it.

Mr. Davis.—Speaking of that thirty days' notice, here is an article in the 'Railway Age' which seems to deal with that very point. (Handed in.)

J. H. Watson, sworn.

By His Lordship:

Q. What is your occupation?—A. I am a custom-house officer at the present time. My trade is boiler-making.

Q. Are you a member of any union?—Yes, I am secretary of the Boilermakers' Union here.

Q. Have you any other position?—A. Organizer of the American Federation of Labour, and was organizer of the Dominion Trades Congress.

Q. How many unions have you organized?—A. About 36 or 37, I am not sure.

Q. Different trades or occupations?—A. All different.

Q. All under a common system?—A. I mean to say, the charters about alike?—A. Some are under the jurisdiction of the international union, some under the American Federation of Labour, some under what they call the National Union, and some under the Dominion Trades Congress, a purely Canadian organization.

Q. What are the advantages of these international unions?—A. Well, there are a good many advantages in the international unions—that is, the true international union. The first is that if they get out of work here they can go to the other side and get work in any shop in America.

Q. Could not that be done by affiliation?—A. It is doubtful whether they would do it. You cannot get work at the shops there unless you have your working card from the international union. Neither could you here if they carry out their affiliation strictly.

Q. In the case of the boilermakers—I suppose they are pretty well unionized?—A. Yes.

Q. I mean all over America. How many would there be?—A. About 30,000, all one union called the International Boilermakers and Iron Shipbuilders of America.

Q. I suppose they have a benefit fund?—A. No benefit, only a strike fund.

Q. Who determines the strike question?—A. The local union itself. The men can go on strike without consulting the international head at all, but they won't get any strike pay. They won't recognize a strike unless they get permission.

Q. When it comes to a settlement?—A. They can make their own settlement without interference from outside at all.

By Mr. Rowe:

Q. What is that?—A. They make their own settlement without outside interference at all.

Q. Well, we had a case in reference to the matter of the *Garonne* in Victoria. A number of the Boilermakers' Union said they wished to make an arrangement, but the headquarters at Kansas City would not permit them to do so?—A. I should not believe that without I saw the authority for it.

Q. Is Kansas City the headquarters?—A. Yes.

By His Lordship:

Q. It has been given in a large body of evidence brought before this Commission with a view of suggesting that unions are not any too reliable in keeping faith with contracts with their employers?—A. They are not, I have to admit it. They don't think—that's the trouble; don't give themselves time to think.

Q. In some cases they are very prone to throw over a contract?—A. Yes, a good many.

Q. It occurs to me that if unions want to get the public on their side, the best thing is to show the public that they appreciate a contract?—A. Yes, there is only one way to do that.

Q. How?—A. I would make them incorporate and make them responsible for their actions.

Q. Then it is alleged by those who oppose incorporation that the benefit funds might be made a target. There is no real difficulty about that, is there?—A. There are very few of them that have benefit funds.

Q. The law at any rate could provide that these benefits should be exempt?—A. I don't see any difficulty in it at all.

Q. Have you under notice a case of unions breaking a contract with its employers?—A. Its own agreements? No, I don't know that I have.

Q. Have you any case in mind of a union threatening to do it and being prevented by any officers of the order?—A. Well, I have known of officers of the order going and compelling them to live up to their agreement. In the case of the U.B.R.E. strike in Revelstoke some of the machinists there that belonged to the International Machinists' Union, but who went out on strike and had already joined the U.B.R.E. They had made an agreement with the C.P.R. and these men had to give so long a notice. These men quit when the U.B.R.E. went out, quit work in spite of the contract.

Q. How long were they out?—A. Perhaps a fortnight. Then it was brought to the notice of Mr. O'Connell, the vice-president, and he ordered them back to work. After the vice-president inquired into it he ordered them back to work or else give up their card in the union.

Q. On the ground of breach of faith with their employers?—A. Certainly, it could not have been anything else.

Q. Did they go back?—A. Some did, and some quit rather than go back. Some left the town.

Q. What proportion of them went back?—A. I don't know. There are machinists in the shop can give that information better than I can. The blacksmiths were the same way in Revelstoke. They did not quit work, but would not work with helpers who were out on strike. They would not work with the helpers.

Q. Were the helpers breaking a contract too?—A. As far as I know they were under the same agreement as what they are in Vancouver, as far as I know.

Q. Were they ordered back to work?—A. There was no one to order them back. That is the trouble with the Dominion Trades Congress. There is nothing at the back of the Congress to compel that. That is were the international has the advantage.

Q. That if the international is headed by responsible men, that is the chief cause the local union are not allowed to break contracts?—A. Unions belonging to the international are not allowed to break contracts.

J. H. WATSON—Vancouver, June 11.

Q. If they were left to themselves there might be some danger?—A. In the case of our union, if it breaks its contract and goes out in sympathy they would withdraw the charter of the union.

Q. They don't approve of sympathetic strikes?—A. No. I have a copy of the international president's letter over this strike here, because our men at one time—there was such a state of excitement over the U.B.R.E. they were liable to come out at any moment. But we wanted to know just what powers we had from our head office. I had a letter from our international union to show. This is a copy of the letter that I got from our grand president in answer to a communication, so you will see how they stand in the matter.

(Copy of letter put in as Exhibit 63.)

Q. You might read that, Mr. Watson.—A. This is a copy:

> 'Now, in regard to the boilermakers working on the C.P.R., will say, that under no consideration will we allow any of our members to violate a contract, and if any of the men attach themselves to any dual organization, or go out in sympathy with any other organization and violate their contract, they will immediately annul their card and a lodge that will encourage them to do so, we will call in their charter. We appreciate the sanctity of a contract, and if we do not live up to contracts, in a very short time the employers will refuse to make any with us. I hope you will so notify those members, as you can rest assured that we will do just as stated in this letter.
>
> Fraternally yours,
>
> JOHN MCNEIL,
> *G.P.O.*'

Q. No doubt, Mr. Wilson, if all union men acted in the spirit of that letter there would never have been any antagonism to unions?—A. There are a number doing the right thing, but there are a number, I am sorry to say, who don't do the right thing. There is an element getting into them that is killing them off altogether.

Q. Will you just state what that is that is causing the trouble?—A. I think the socialist element in the union is causing the trouble.

Q. In what way?—A. They preach the doctrine of discontent. That is what they are able to preach, and that is what they preach in the union and out of the union.

Q. Their central doctrine is that there is an irreconcilable hostility between employers and the workmen?—A. They keep up that doctrine, that there is an antagonism between capital and labour.

Q. And that belief is not shared by trade union men?—A. Not by quite a large number, no.

Q. That is to say their belief is that there is a necessary antagonism?—A. They believe so, but that is not my belief.

Q. Have you any suggestion to make as to how that could be remedied?—A. They know my stand. I have told them lots of times. I would throw him out of the union. If I knew a man was a socialist I would not allow the man into the union. If they do they are only taking a viper into themselves, that is all.

Q. As a rule the socialists are opposed to the incorporation of unions?—A. I don't know. I never had much talk with them. They are sure to be opposed to it. If they are going to make them responsible for their actions they are going to be opposed to it.

Q. It seems reasonable that where there is power there should be responsibility?—A. Certainly, undoubtedly.

Q. I suppose the Canadian population is not large enough to have national unions. They would not be sufficiently strong?—A. They might be a good deal stronger than they are if these socialists were not trying to drag everything into these

railway unions. Every union that had not an international head, I put into the Dominion Trades Congress, and now they want to put it into the American Labour Union. It has been my aim to strengthen it, and that cannot be done by working them out of it.

Q. Would you favour national unions ?—A. Yes, I am in favour of all unions that can be taken into the Dominion Trades Congress to go there, that is those that have no international head.

By Mr. Rowe :

Q. Why does the Trades Congress require this ?—A. It is a matter of courtesy, I take it. For instance, I was not aware when I organized the laundry workers here that there was an international union for them, but when I sent the money to Mr. Draper for their charter, he sent the money back and told me to apply to the secretary of the International Laundry Workers' Union. It is a matter of honour between the two. They won't interfere with each other's jurisdiction.

Q. The Dominion Trades Congress does not hold absolute jurisdiction over the country, but only over such orders as have not international affiliation ?—A. They have to do the best they can for the worker, and they know an international union is the best thing a worker can get into—that is a bona fide international.

By His Lordship :

Q. Then when a particular trade does get an international they withdraw from the Dominion Trades Congress and go into the international ?—A. Suppose they organize here and take a charter, then suppose they grow strong enough to form an international union over there, then the Dominion Trades Congress would hand them over to the international union.

Q. Then the Trades Congress is a sort of parliament of unions where they discuss legislation ?—A. Purely a legislative body.

Q. And where they discuss matters that should be dealt with in the legislature ?—A. Yes.

Q. And that, of course, could be better done by them than international unions ?——A. Certainly. You see the delegates that go to that congress are delegates from international unions.

Q. Are there any delegates from the other side ?—A. One fraternal delegate from the American Federation of Labour, but the delegates who comprise the Trades Congress are made up of members of international unions.

Q. But they are all men working in Canada ?—A. Yes.

Q. What is your view of the sympathetic strike ? Is it ever advisable ?—A. No, I don't think so, not under any condition.

Q. How would you advocate the settlement of labour disputes ?—A. Compulsory arbitration is the only thing I see, and make unions incorporate. Make them responsible for their actions, that is the only thing.

Q. I suppose the boycott ought not to be employed ?—A. Well, I don't know ; it is employed. I am not in favour of it, but I know it is employed.

Q. What do you say as to the blacklist ?—A. I don't know anything about it ; I have heard about them in the press. I don't know anything from experience, but I believe a good many men have suffered from them in the States. Men have told me they have walked from street to street in the United States, walked from one store to another, from one town to another, and could not get employment.

Q. You mean by the union ?—A. No, by employers. On account of taking part in some strike or something of that sort.

Q. Don't you think both the union and employer should be prohibited from blacklisting ?—A. How do unions blacklist ?

Q. By posting a list of unfair people ?—A. Yes, I never looked at it in that way before. I suppose it is.

Q. Well, it might post a list of those who were fair, not post a blacklist?—A. They should only do to others what they want others to do to them; that is a sure thing.

Q. For instance, in a paper which is known by the name of the 'Western Clarion,' I think, published in Vancouver, we find a paragraph of this kind: 'The Betraying Hand and Blood Money. The following men have returned to work and are scabbing: E. V. Dangerfield, baggageman. John Ward, clerk——' and so on. That is not an honourable thing to do, is it?—A. Better look where it comes from.

Q. That sort of practice should be condemned on the part of both employers and unions?—A. I think so. If it is wrong in one case it is wrong in another. There is another thing in this paper. There were three men here boycotted or something of that kind through the contractor here, Mr. Cook, completing his contract with them. The very men that are condemning that very building or that contract are the very men that are encouraging this American Labour Union that was organized expressly to do an injury to the American Federation of Labour. They never lose an opportunity of doing it. I think if one is good the other is.

Q. Do the U. B. R. E. consider the engineers and firemen scabs because they did not come out?—A. They look on me as a scab too because I encouraged other men to keep in. I don't suppose any other man in this town had more abuse simply because I wanted the men to act the man and live up to their agreement. I am one of those fellows that believes if a man makes an agreement with an employer he has a right to live up to the letter of that agreement, and has a right to expect the employer to do the same. If he cannot live up to it, he cannot expect the employer to do it. If I was an employer and had a body of men working for me, and they ever broke their agreement, I would take fine care not to make another one.

By Mr. Rowe :

Q. A member of your union who said that a contract could not stand against the interest of the union and authority of the headquarters is not saying what is your conception of that position?—A. No. If it was left to headquarters it is not true, because that letter proves it. There is a letter from the grand president of the same union.

Q. We had a case, nevertheless, where a body of men belonging to your order undertook to do certain work and at the command of Kansas City, through the invitation of an American lodge they ordered the men out and broke their agreement, and they did?—A. I don't think they went on strike. They had undertaken not to touch the work.

By His Lordship :

Q. What I have about that is: 'We asked Kansas City what we should do. We explained the facts, that we were willing to go to work; that the Seattle men thought it would help them if we did not go to work, and also that we had promised to go to work. The reply was we were to work in conjunction with Seattle, so long as Seattle regarded it as unfair we could not go to work. We had to consult both Seattle and Kansas City. If we disobeyed the Kansas City people our charter would have been lost, and we would have been called scabs and could not have got a job anywhere, only in a non-union shop.' Then he says: 'I think a Canadian organization would be strong enough provided we had a good alien law.'?—A. I don't think it. There are only five lodges in Canada.

Q. That was a very extraordinary case because it seemed to go to prove this: that a number of Canadian workmen on a ship in Victoria were actually called out because of the action of some of people in Seattle, to which they were not in the slightest degree a party. That is a case which should not be allowed to continue?—A. I think they only refused to do the work. I don't know the circumstances of the case.

His Lordship.—But if these men could not touch that work it could not be done?

Mr. BIRD.—Was that not a case where the work was sent from Seattle to be done in Victoria ?

HIS LORDSHIP.—Yes.

Mr. ROWE.—The machinists were having trouble with Moran Brothers in Seattle, and the owner wanted to get the boiler work done. Morans had entered into a contract and he came to the Albion Iron Works, asking them to take the contract. The manager went into the matter with the men. They agreed to take the work. He went over and they still agreed to do it. Then the ship came over, and with it a committee from Seattle, who instructed these men not to do the work. The firm had taken the job on the faith of this promise made by the boilermakers. Kansas City and Seattle told these men in Victoria they were not to do it, and they did not.

By His Lordship :

Q. You see it is getting to be a grave question, Mr. Watson, as to how far a Canadian organization should be interfered with from the other side ?—A. It is no good saying they were interfered with. Two or three men came over from Seattle, and if the lodge were not willing they need not do it.

Q. But the lodge at Victoria had received a reply from Kansas City that they were not to proceed under fear of losing their charter. If that sort of thing goes on the Canadian workman is a mere machine in the hands of somebody on the other side ?—A. My experience has been, if men who take the offices in these different unions state the case fairly to the executive head of the union, there would not be so much trouble to come to the right decision, but the trouble is in referring these things to headquarters they have difficulty in getting at the right and the wrong and often jump at conclusions. At the same time, our international officers here and in every city should be very careful how they communicate things to the head office. There were two strikes here two years running in succession on the C. P. R. with the machinists. Our men came out on strike in sympathy with the machinists, and we had a telegram from the head office refusing that these men should come out on strike in sympathy.

Q. Was that obeyed ?—A. No, the men took the bit in their teeth and went out.

By Mr. Rowe :

Q. Do you take an oath in your order on joining ?—A. Yes, there is an obligation, an oath and obligation. The whole of them, as far as I have seen. I don't think the oath is in any way detrimental. I have never come across one that was detrimental. Only an oath that they would be true to one another.

By Mr. Bird :

Q. Do you believe in politics in unions ?—A. Not in unions, no.

Q. You say that should not be introduced as part of discussion or part of any policy ?—A. It should not be brought into the union.

Q. When did you come to that conclusion ?—A. That has been my conclusion from experience gained within these last two years.

Q. Then before that you were of the opinion that politics were a proper thing in the union ?—A. Not in the union.

Q. Do you remember writing a letter to the 'Boilermakers' Journal' in June last ?—A. I would like to see it.

Q. You did not state that 'the sooner that labour gets into politics and gets in quickly to end the present economic system by declaring with a common voice for social democracy, the better' ?—A. No, I don't know that I held such opinions as all that.

Q. You didn't write this : 'The old chestnut of no politics in the union is all humbug—let us shout it everywhere. The workers must enter politics or die. Let us go to the polls, as on Labour Day we parade to show our strength, so on election day

let us march to the polls and record our solid vote as one man for one of our choice from our own ranks, who are workers like ourselves, and instead of showing the world our strength, let it be felt with a mighty blow that shall forever put an end to the present economic system and party government, which is giving away our inheritance and making slaves of all'?—A. That is not my language.

Q. Will you swear that you did not write that ?—A. Yes.

Q. Did you ever see an article in the 'Journal of the Boilermakers' Union' of June last appearing over your name ?—A. I will swear that I did not write it.

Q. That you did not dictate it or send it ?—A. I swear it never appeared in the 'Boilermakers' Journal' in the exact words you are reading.

Q. I hold in my hands what purports to be a quotation from the letter signed by you ?—A. I have read it. The whole thing is a tissue of lies.

Q. You say the quotation is false ?—A. I want to tell you this : that my whole action in this city contradicts it.

Q. Do you say this quotation is false ?—A. Yes, that is false.

Q. You say that with full knowledge of having read it ?—A. Yes, I have read it —the whole thing.

Q. You stated the fact that ugly names had been called you by reason of your recent position in connection with labour matters ?—A. I never said scab, but know how I am looked on.

Q. You are looked upon as having sold out to a certain political party ?—A. I don't know.

Q. You hold a position in the post office ?—A. No, I don't.

Q. In the customs ?—A. Yes.

Q. And you have recently been dismissed from the Trades and Labour Council ?—A. No.

Q. You are still a member of the Trades and Labour Council ?—A. No.

Q. You have been until recently ?—A. Until about four months.

Q. You were politely told you were not required ?—A. No.

Q. Was there any pressure brought to bear upon you to leave ?—A. No pressure whatever. I left of my own free will.

Q. Don't you know that the Dominion Trades Congress passed a resolution stating that any man appearing on a public platform in support of either the Conservative or Liberal party was to be looked on with discredit ?—A. Yes, that was a socialist move, done at the last minute.

Q. Apparently it has got in advance of your sentiments which have apparently changed as to socialists ?—A. That would be an advance of mine. It is a long way from being socialist yet.

Q. At the same time by reason of all this you were a discredited member of the local organization, the Trades and Labour Council ?—A. Well, I don't know.

Q. Were you not a delegate from the Boilermakers' Union ?—A. Yes, and my union withdrew its delegates. There was no question about being turned out. My union withdrew its delegates. I don't want you to make insinuations against me, because you will get them back.

By His Lordship :

Q. There is one telegram here (indicating) you might tell us about ?—A. That is right. One of our union was fined $25 for quitting his work and breaking his agreement in Revelstoke. That was done by the local union here.

Q. Was this man a member of the local union here ?—A. Our jurisdiction extends to Nelson, because there are not enough to form a separate union. The union fined him $25 and they afterwards took it off, because they found he was only out from the old country and he was new to the business. He withdrew from the organization and that settled it.

J. H. WATSON—Vancouver, June 11.

Q. There is a telegram here from Kansas City apparently to you : 'Avoid sympathetic strike.' This order prohibits ?—A. That was in answer to a resolution, or not a resolution, but an order made by my union at a special meeting called to discuss the U.B.R.E. affair. They arranged there the question that I was to ask the headquarters, and that was the answer, to avoid a sympathetic strike.

Q. What followed the word 'unless.' The words are blotted out ?—A. I don't know. I took the telegram down to the men at the shops, and I have not seen it since. There was no sympathetic strike. Our men kept at work.

Q. Who is Mr. Garnham ?

Mr. BIRD.—I understand he was the former agent of the U.B.R.E. before Mr. Halton—the acting agent.

By Mr. Foley :

Q. You said under no condition would you approve of the violation of a contract? —A. No.

Q. Suppose that an employer violated his contract, would you consider the contract broken ?—A. Certainly.

Q. Then if by any means he violated his agreement would you feel justified in violating yours ?—A. Certainly.

Q. In your self-defence ?—A. Certainly. I should not think the agreement was in existence if he violated it.

SARAH MCDONALD, sworn.

By His Lordship :

Q. You are the proprietor of a boarding house, I think ?—A. Yes.

Q. You understand you are not here voluntarily—that you have been compelled to come here ?—A. Yes, sir.

Q. How long have you been proprietor of this house?—A. Eight years in August, but I have been always keeping boarders since the fire here.

Q. What class of boarders ?—A. Clerks and ordinary men working in foundries and places like that.

Q. Mechanics and clerks ?—A. Yes.

Q. Some few days ago you were waited on by some men, were you not, regarding your keeping certain boarders ?—A. Yes. It was the moulders that were boarding with me, that belonged to the union, the moulders' union. There were three of them.

Q. They came to you and said what ?—A. They didn't want me to keep these men who came from the C.P.R.

Q. What men ?—A. The men that were working for the C.P.R., that were working in the place of the strikers.

Q. How many of such men were there ?—A. After they broke up the boarding house—the C. P. R. was boarding them there—about eight or ten. I had one for eight years and they wanted me to let him go.

Q. How many men ?—A. Eight or ten.

Q. Including one man who had been with you for nearly eight years ?—A. Yes, that was seven years last Christmas.

Q. It was on the ground that these men were scabs ?—A. Yes. I told them I could not possibly do it. They were paying their way and were respectable men in the house, and for the men they wanted to go I told them that was impossible, I had no reason whatever. I told them if any of them had done anything dissatisfying to their union I could not do anything to have them go.

Q. What happened then ?—A. They left me. There were five left altogether.

Q. Did they tell you if you didn't send away these men they would go ?—A. Yes.

Q. Anything else ?—A. No. They didn't say they would post me as unfair. I told them I had legal advice, and if they put my name up in lodge or union hall that I would have them prosecuted, which is what I was prepared to do.

Q. What did they say to that ?—A. They didn't say anything; they said they were going and they went.

Q. They didn't say they would post you up ?—A. No, they didn't. Not that I ever heard.

Q. Was there any dispute between these men in your house ?—A. No, they never said a word to the men, to my knowledge.

Q. What time was this ? How long ago ?—A. This was some time perhaps the last of April, I think, when this happened.

Q. About the time of the outbreak of the strike ?—A. No, that was after the strike.

Q. The C.P.R. boarded the men—the scabs, as we call them ?—A. Yes, until about that time.

Q. Is your boarding house near the C.P.R. ?—A. No, my boarding house is on Richards street.

Q. Have any union men come to board with you ?—A. No, I have union men with me who would not go.

Q. Did these union men who stayed with you say anything to the men who went out ?—A. One of them said he thought they were a little hasty in doing what they did.

Q. You heard that ?—A. No, one of them told me he said that.

Q. Have you felt any particular effect on your business ?—A. No, I have always had my place full.

Q. So it has not affected you ?—A. No.

Q. Did any of these men say they would not eat at the same table with these people ?—A. No, I never heard anything of that kind said.

Q. They simply said they could not stay there ?—A. Yes.

Q. That unless you turned them out they would go ?—A. Yes, they said they could not stay.

Q. Do you know whether you have been posted up or not ?—A. No, I don't, because if it is up it is not interfering with my business. I was going to give it up altogether sooner than be beaten. I didn't know what they might do.

Q. You were going to give up the boarding house ?—A. Yes, sooner than I would be beaten. I don't know whether they could do anything to hurt my business, and I didn't like to have to give up.

Q. Are you dependent on the boarding house for a living ?—A. Yes.

Q. Are you a married worman ?—A. I am a widow since 1891.

Q. And you have no other way of making a living ?—A. No other way.

Q. All I would say to you is that these three men are not fit to be in any decent boarding house.

By Mr. Bird :

Q. These were not U.B.R.E. men ?—A. No, sir.

Q. It was just an individual instance of unionism carried to extremity ?—A. Yes, the U.B.R.E. never said one word to me.

Mr. Bird.—I might say, Mr. Commissioners, that a better sentiment prevailed and that there has been no instance of fighting women by these unfair tactics.

His Lordship.—I think these three men are a disgrace to unionism and are not fit to be in any decent boarding house.

Mr. Bird.—There are lots of men claiming to be Christians. These are individuals examples.

SARAH McDONALD—Vancouver, June 11.

By Mr. Rowe :

Q. How many union men are there in your house ?—A. I could not say ; I never bothered so long as they were respectable and minded their own business.

Q. There were some union men remained when the others left?—A. Yes, I could not say how many.

WILLIAM D. MUIR, sworn.

By His Lordship :

Q. You are a baker ?—A. Yes; I run a bake-shop at Mount Pleasant.

Q. That is a suburb of Vancouver ?—A. Yes, sir.

Q. How long have you been in business ?—A. I have been baking about eight years.

Q. Have you had any contracts baking bread for the C. P. R. ?—A. Not the C. P. R., the C. P. N. I have been furnishing them bread for about two years, up to the present time. I am supplying them to-day.

Q. Have you had any difficulty, arising out of the fact of your having a contract, with any union ?—A. Yes, there was some trouble with the C. P. R. and their men at the time of the U. B. R. E. strike, and I was supplying the *Princess May* with bread. I was advised by the union not to supply that ship any longer.

By Mr. Rowe :

Q. What union ?—A. The Bakers' Union—the journeymen.

By His Lordship :

Q. To refrain from supplying bread to the *Princess May* ?—A. Yes, I had a letter from the union, advising me that this boat was unfair.

Q. Have you got that letter ?—A. I have not got it with me; I can tell you what is in it. It wanted to know about my contract, and if I knew they were on the unfair list. It was from the Journeymen Bakers' Union.

Q. That is different from the Masters' Union ?—A. Yes. We have no Masters' Union here. It was from the secretary, Mr. McLean.

Q. And that letter stated the *Princess May* was on the unfair list, and requested you to stop supplying bread ?—A. Yes. He wanted to know if I was aware that these boats were on the unfair list, especially the *Princess May*. I am supplying a lot of the boats, but it was this one particularly. They wanted to know about the nature of my contract with the company. I replied that I kept no record or unfair list, except men who did not pay. About my contract, it was my business, and nobody else's, and that I should keep on supplying them, which I have done and am yet.

Q. Any reply to that ?—A. A few days after that the men were advised to boycott my shop.

Q. How do you know ?—A. I had a second letter.

Q. What language did that letter use ? Have you got that letter ?—A. I have not got it with me ; I think I have that one. Just about what was in it was that after Monday morning, if I continued supplying these boats, that my shop would be on the unfair list. Monday would be the 6th April—I believe that is the correct date.

Q. Were the men called out ?—A. Yes.

Q. By whom ?—A. By this union. A meeting was called and they were advised to quit. There were eight or nine in the shop. We employ nine now.

Q. Did you have any talk with the men before they went out?—A. Yes, I advised them what was coming. I showed them my letters, and the men agreed to stay with me—all but two.

Q. These two men went out—what did they say as to their reason for going out?—A. Because I was supplying these boats that were unfair.

Q. In the interests of the union or that they were compelled?—A. I believe it was.

Q. Was it because they had to obey the union, or because they thought the action of the union was proper?—A. I would suppose both, but I have nothing to show that.

Q. Was there anything passed in the conversation with you that would give some light on that?—A. I have not much to show. Of course, anything that was unfair we would not be supposed to supply it. For instance, I had a car of flour consigned to me, and as the teamsters were on strike I could not get it delivered. Consequently, I had to use a wholesale warehouse—have the flour put in there and get it delivered through that. I am showing this to show that I was not supposed to have anything to do with these boats because they were unfair.

By Mr. Rowe:

Q. Had you other boats besides the *Princess May*?—A. Quite a lot of the C.P.N. boats. Any that asked for it, got it.

Q. Do your contracts with the C.P.N. represent a large portion of your business?—A. No, I think a small part.

By His Lordship:

Q. Did you have a written contract with the C.P.N.?—A. No.

Q. Any written contract with your men?—A. Yes, they signed a contract with me last year. It runs from the 1st of July—to work with me for a certain time at certain wages.

Q. Anything about notice to quit?—A. No.

Q. Where is that contract?—A. I have it down at my office.

Q. We would like to have all these papers—will you look for them?—A. Well, I think I may not be able to find them.

Q. Have these men come back since?—A. No, they have been working for other people and walking around part of the time.

Q. Did you put men in their places?—A. Yes, I had no difficulty in getting men.

By Mr. Rowe:

Q. Were they union men?—A. No, non-union men.

By His Lordship:

Q. You have union men?—A. No, not now. All are non-union since that trouble.

By Mr. Rowe:

Q. Are these men who remained with you not union men?—A. They were, but they were discharged from the union because they remained in my shop. I believe there are six. One of the men who will follow me has got a paper to show the names.

By Mr. Bird:

Q. Was your contract in regard to supplying the *Princess May* in existence prior to the strike?—A. Yes, I have been supplying these boats since I have been in Vancouver.

Q. Was not the chief difficulty in regard to this union that you were supplying the *Yosemite* and the *Rithet*, on which the scabs were being boarded?—A. I was supplying them too.

WILLIAM D. MUIR—Vancouver, June 11.

Q. You got the contract subsequent to the strike ?—A. No. I have been supplying the *Princess May* and several of the others for the last two years—for the summer before this.

Q. Were the *Yosemite* and the *Rithet* not mentioned?—A. No mention of any boats at all; I simply went to the purchasing agent and asked him for this business.

By Mr. Rowe :

Q. This letter you got from the union was in regard to the *Princess May* ?—A. Yes.

By Mr. Bird :

Q. You can produce this contract with the C.P.N. ?—A. I have no written contract with them.

Q. Your contract is nothing more than your ordinary contract with people who buy bread tickets ?—A. With anybody, yes.

By Mr. Rowe :

Q. In the letter you got from the union there was no reference to the *Rithet*?—A. No, I don't think these boats were used as boarding houses then; I believe they were boarding in cars, but I would not be sure, and that shortly after this the boats were put here. I know about the *Yosemite* and *Rithet* afterwards, I think.

By Mr. Bird :

Q. Did the action of the union in placing you on the unfair list affect your business ?—A. A little. Some of the union men have quit buying bread. I probably lost forty or fifty private houses.

Q. Were you posted as unfair ?—A. I have not been to their labour hall. There has been nothing in the newspapers.

By His Lordship :

Q. Who is the man in charge of the union ?—A. I could not say.

His Lordship.—I suppose Mr. Russell can tell us about this unfair list ?

Mr. Russell.—Mr. Muir, I believe, is posted by the Bakers' Union because he insisted on supplying bread to the scabs. The notice is there, on the blackboard, signed by the secretary of the Bakers' Union.

His Lordship.—We will get a full account of that practice later.

Witness.—I might also say that at the time these men were taken out of my shop, several of the men belonging to the Bakers' Union went to a lot of places in the city—grocery stores—and went to the hotels, restaurants and other places, and solicited them to quit buying bread from me.

By His Lordship :

Q. What was your total income before this per month ?—A. I could only give you the number of loaves. We were turning out before the strike about 20,000.

Q. And by reason of these forty or fifty families leaving you ?—A. We are still turning out about 20,000. We have picked up all we have lost. We did not lose many stores. We lost three or four stores.

Q. Did they tell you so ?—A. They told the drivers. Some restaurants quit us. No hotels quit us to my knowledge.

Q. Can you give us the name of one of these grocery stores ?—A. Well, I could not at the moment. If I come back after dinner I could.

Q. Can you give us the names of any people who quit doing business with you ?—A. I could bring a list, but I have not it with me. I believe I advised my bookkeeper to keep a record, so that we would know just what that list was. That was done purely for curiosity.

WILLIAM D. MUIR—Vancouver, June 11.

By Mr. Rowe :

Q. Did any of the customers say they stopped on account of this action ?—A. Yes, there were either sons or fathers, or somebody in the house belonging to the U.B.R.E., consequently they could not buy bread of us.

Q. How many cases of that ?—A. I could not say how many. I can get a list made out and give it to you pretty closely.

Q. What was your supply per month to the steamboats ?—A. In winter time it amounted to very little. Previous to this these boats were not running north. We have a standing order for about 300 loaves every time she sails. They take about that. For the last two months I would say about 900 to 1,200 each month, say 1,000 to 1,200 loaves a month. That has been for the months of April and May, and June will be about the same.

By His Lordship :

Q. You had better bring these papers after lunch ?—A. You want to know the names of the people who quit us ?

Q. We want the names, we want the two letters, and we would like to look at that agreement ?—A. I don't know about the letters, but I am satisfied I have the agreement.

CHARLES A. WILBAND, sworn.

By His Lordship :

Q. You are a journeyman baker ?—A. Yes.

Q. And you are in the employ of the last witness, Mr. Muir ?—A. Yes, sir.

Q. How long ?—A. For about two years.

Q. Are you now an employee ?—A. Yes, sir.

Q. You have heard what the last witness said about the trouble he had ?—A. Yes, I heard what he said all right.

Q. What have you to say about the action of the union ?—A. Well, the union wrote to him and told him he was not to supply that boat or else they would call the men out. I was a member of the union.

Q. Are you now ?—A. No, for I considered they were not doing what was right by the man, so I withdrew from the union and stayed with the shop.

Q. Were you told by the secretary of the union that you had to come out ?—A. Well, he gave us verbal notice, but the rule is he should write us by written notice to attend a special meeting, and it was only just a verbal notice and we didn't go.

Q. You didn't go to the meeting ?—A. No.

Q. How many journeymen bakers are there in town ?—A. At that time there were 22 members in the union. I have been a member of the union for three years. The fact is I was a chartered member. I worked in the city previous to the time that there was a union.

Q. You didn't go to the meeting. Were you ordered out by the secretary or the union ?—A. We got notice that we were to be called out, a verbal notice.

Q. Who gave it to you ?—A. It was the secretary.

Q. Who is the secretary ?—A. His name is McLean.

Q. Where did he give it to you—A. At the shop. He said if we kept on working at that shop which supplied the company's men they would enforce a fine on us of $25 for each week we worked.

Q. What did you say ?—A. We told him we would stay with the shop and did not intend to go out. We told him the reason we did not intend to go out was that we didn't think they were running the union by union principles.

Q. And you think it is not good unionism to call you out on strike because your employer was supplying the *Princess May* ?—A. No, for the simple reason that if he was supplying the boat it would not make any difference to us who he supplied the bread to, as long as we got our hours and our wages.

Q. How many men disobeyed this summons to come out ?—A. Five men.

Q. Five stayed with the shop and two with the union ?—A. There was one man working a day or two, and the other man, named Evans, he was the only man who went out.

Q. What has become of the union since ?—A. I don't know for sure whether it is existing or not, but I heard it was running.

Q. This union is a branch of the International Bakers' Union ?—A. Yes.

Q. Did none of you men complain to headquarters about the action of this union ? A. Yes, as a body we wrote to headquarters for a decision.

Q. Have you got an answer ?—A. We got an answer, and they turned us down, supporting the local union in their action.

Q. Have you the letter ?—A. No, but that was the effect of it. The letter stated that the local union here had done right and that we had to go back, and all the fines would be clear if we went back in the union.

Q. Have you the letter ?—A. No. There are some of them have it.

Q. I mean the letter you got from headquarters as well as the one you sent ?—A. I have not the letter, but I guess some of the men have.

Q. It is important to know exactly what was done. You say you can get a copy of the letter sent ?—A. Yes, and I am pretty sure I can get the reply.

By Mr. Bird :

Q. Do you know a baker named Joseph Davidson has been on the unfair list ?—A. Yes, ever since the union started.

By His Lordship :

Q. What was the ground for that ?—A. The ground was that the men wanted to see him concerning an agreement in dispute, and he would not have anything to do with the union.

Q. He was a sensible man not to have anything to do with this kind of union.

By Mr. Bird :

Q. Were you one of the parties voting to put Joseph Davidson on the unfair list ? A. No. I never voted to put him on the unfair list.

Q. Did you oppose it in any union meeting? Did you consider it a proper thing to do ?—A. I didn't consider it a proper thing. I did not vote either way. I was only one of the members.

Q. You did not think it necessary to stand up for any man's privileges ?—A. No, I didn't vote either way.

Q. If you had happened to be in any other shop and not in your shop you would have voted for posting Muir on the same list ?—A. No, when I was working in another shop I voted to get Muir on the fair list. There had been previous attempts made of that sort.

By Mr. Rowe :

Q. On what grounds ?—A. On the ground of supplying this boat.

By Mr. Bird :

Q. How could that be ? Were you working in another shop during the strike ?—A. Not exactly during the strike, but some time before this.

CHARLES A. WILBAND—Vancouver, June 11.

Q. It was during some other strike ?—A. Concerning other troubles.

Q. And Mr. Muir had been supplying scabs on other occasions ?—A. I don't know for sure; as far as the Journeymen Bakers' Union is concerned it did not matter who the boss supplies. As long as you get the hours you ask for and the wages, it don't make any difference to you who he supplies his stuff to.

By His Lordship :

Q. Then your union in putting anyone on the unfair list went beyond its constitution and beyond its rights ?—A. Yes.

Q. Your union is only authorized to object to the question of wages and hours ?—A. Yes, that is all. Of course, as far as finances are concerned they help other unions as well.

Q. Have they any benevolent purposes ?—A. No.

Q. They merely contribute to the support of the Trades and Labour Council in Vancouver ?—A. Yes.

Mr. Rowe.—It would be wise to know to what length this union would go in the case of bread. It seems to me there are some other people than scabs who would look like murderers who would refuse to supply bread.

Mr. Bird.—You shall not live by bread alone, it is said !

Mr. Rowe.—Has anyone got a copy of the constitution of that Bakers' Union ?

Witness.—Yes, I have a copy at home, I will bring it.

George Nelson, sworn.

By His Lordship :

Q. You are a journeyman baker ?—A. Yes.

Q. You have been in the employ of Mr. Muir ?—A. Yes, for two years.

Q. Were you a member of this Bakers' Union ?—A. Yes, sir.

Q. Were you called out at the time were were speaking of ?—A. No, sir, I was expelled from the union two days before the shop was ordered out on strike because I wrote a letter to the headquarters to ask information.

Q. What reason was there for expelling you for that ?—A. I wrote to headquarters to ask whether they could order me out on strike when my employer was acting up to agreement as to wages and hours.

Q. Did you have a written agreement with Muir ?—A. So far as wages and hours are concerned.

Q. And you considered by going out you were breaking a contract ?—A. Yes.

Q. And for that reason you wrote the headquarters to find out ? Have you a copy of that letter ?—A. No, but I have a copy of the letter that I got from headquarters. I simply wrote that I was a member of local union 46, and I asked in the letter if local 46 could order our shop out in sympathetic strike when my employer was acting up to our agreement and contract. That was all I wrote.

Q. You got a letter from headquarters ?—A. Yes, I was expelled the same night I showed the letter to the union. A fine was put on me of $25. I would not pay it and I was expelled. That was four days after. The first meeting I brought up a copy of the letter I had written. When that was read, I was expelled. The expulsion was passed by unanimous vote. I was fined and would not pay, and then I was expelled.

By Mr. Rowe :

Q. Did everyone vote in favour of the expulsion ?—A. Yes, except one man from our shop—he did not vote at all. None of the rest of the shop were there.

Q. Is he one of the men who have since gone out ?—A. No, he is in the shop still.

By His Lordship :

Q. You say you have not kept a copy of the letter you sent ?—A. No, sir.

By Mr. Rowe :

Q. Is it against the rules to write a letter of that sort ?—A. No, we have the right to do that. I was also an officer in the union; I was the statistician.

His Lordship.—You can read this letter:

(Witness reads copy of letter received by him from headquarters of union—Exhibit 64.)

By His Lordship :

Q. They evidently upheld the action of the union ?—A. Yes.

By Mr. Rowe :

Q. Is that union affiliated with the American Labour Union ?—A. No, sir. Their headquarters are in Cleveland.

Q. Then evidently you were to abide by the action of the union in one case and not in the other ?—A. Yes.

By His Lordship :

Q. What they said was that you should obey the orders of the union, but you had the right to ask information ?—A. When they fined me they said I had no right. The secretary said he was the man, and if I wanted any information I had to ask the union. I studied the constitution book. This is not the only union I have joined. The constitution allows you to communicate with the headquarters any time you wish, and therefore I did it.

Q. Is this union still existing ?—A. It is still going—two or three men in work in the union. Of course the New Westminster bake-shops are the same union—the two cities.

By Mr. Rowe :

Q. The meaning of that is that you must break a contract if you make one, if the union orders it ?—A. A contract on either side. No alterations to be made on either side under thirty days' notice.

Q. I mean the law of your union is that you must break a contract if the union orders it ?—A. In the constitution it says : If any dispute occurs between master and servant, they must try and settle it as peaceably as they can. A strike is the last thing that must come on the board. By the way, they ordered us out on strike. You have to have two-thirds of a vote, and there was no two-thirds vote at the meeting that night.

Q. Who was the cause of your being ordered out ?—A. The cause was because my employer was serving the *Princess May*.

Q. But did the secretary of the Bakers' Union have any communication with any other union ?—A. Not that I know of.

Q. Why should they take up this matter without anybody asking it ?—A. (None.)

Mr. Bird.—Mr. Russell will probably be here this afternoon, I suppose.

His Lordship.—We would like to find out about this blacklist.

Mr. Bird.—He told me he was going to see some of the members of the Bakers' Union and the Trades and Labour Council.

His Lordship.—We would like to have this unfair list fully explained.

Q. Does the constitution require a two-thirds vote before the men can be called out ?—A. Yes.

Q. Did they have a two-thirds vote?—A. I was not there, but all the members have got to be at the meeting when the strike is called, and all members were not there. All members have got to be notified in written order, which was not done. No one in our shop got a written notice. I was expelled on Thursday afternoon, and this happened on a Saturday.

Q. You say there was no written notice for a two-thirds vote?—A. All the members were not at the meeting, and a written notice was not given at all.

CHARLES A. WILBAND, recalled.

By His Lordship:

Q. You say you did not get written notice of this meeting?—A. No.

Q. Do you know by what majority the resolution was passed which called you out?—A. It was not a two-thirds majority.

Q. Were you there?—A. No, I was not there that night. The five who stayed out were not there at all.

Q. How do you know there was not two-thirds?—A. We were supposed to be notified in writing and we were not. We had meetings about every night of the week, and we thought we would not go unless we had a written notice.

Q. Did you object to the meeting considering the matter on the ground that you had no written notice?—A. Yes.

Q. Did you send written notice to the effect that you objected?—A. No.

Q. You did not go to any meeting?—A. No, we did not go to any meeting.

VANCOUVER, June 12, 1903.

Mr. DAVIS.—If the Commission will call Mr. Marpole for a moment——

HIS LORDSHIP.—In view of the fact that I understand a settlement is practically assured——

Mr. DAVIS.—I understand that, owing to the good offices of the Commission in that regard, a settlement is practically assured.

HIS LORDSHIP.—I would say that the time taken by the Commissioners would be very materially lessened if the same admission were made as in the Supreme Court, that is, that originals are originals and copies copies, and that the Commission can draw their own conclusion.

Mr. BIRD.—I have also, on behalf of the U. B. R. E., to thank the Commission for their intervention. I feel that had it not been for them matters would not have been in so satisfactory a position to-day. I sincerely hope that the negotiations that have been going on may result in the announcement of a satisfactory settlement on behalf of the U. B. R. E.

Mr. DAVIS.—Of course, it must be remembered that the strike is settled between the C. P. R. and the striking men.

HIS LORDSHIP.—I am very glad that the Commission has been of assistance in bringing about a happier relation between the men and the company. I hope our efforts will have something to do in bringing this about, and with troubles in the future.

R. MARPOLE, recalled.

By Mr. Davis :

Q. Will you please say what were the reasons for certain men being sent east in February, first Wilson and Dick, second Halton, and third Foulds ?—A. In the case of Wilson, as in the case of Dick, by the desire of certain officers of this company, who wished to do a good turn to both men, absolutely without the intention of hurting either of them. That I know for a positive fact. In the case of Messrs. Foulds and Halton, it was done from Mr. Ogden, without reference to me whatever. I simply received a telegram from Ogden to send these two men. The explanation of what it was for, and the matter was discussed months before, was that the accountant's branch would be separate from my office. That is the reason they went east.

Q. Were other men in corresponding divisions called to Montreal at the same time? —A. I understand so. From Winnipeg and somewhere else.

Q. There was an impression prevalent among some of the employees at one time that Mr. Purvis was sent south by you with a view of getting information in connection with the U. B. R. E. Why was Mr. Purvis sent south ?—A. He was sent south for the betterment of the men's position here. I was asked to try and find out the rates of pay on other roads south, and Mr. Purvis, my chief clerk, was selected for that purpose and made reports. I am glad you asked me the question, because I explained it fully to the committee, as I wanted to explain to the striking employees, that it was for the one special object of improving their condition, and the result was they got increases on the 1st of February.

Q. There has been some talk about blacklisting. Will you explain to the Commissioners whether there is any blacklist on the C.P.R., or what there is which might be considered as a system of blacklist ?—A. The system on the road is that when a man is dismissed or suspended, I should say that a list is made up at the end of the month of all cases of discipline of that kind, and sent to each general superintendent on the system. That is all that is done, but the impression I gathered from the evidence here, and expressions I heard before, that this company sends a blacklist to every American road, is absolutely false.

Q. There seems to be an impression that there was an agreement between the C.P.R. and other roads with reference to something of that sort ?—A. I never heard of it, and I never had any correspondence with American roads as to that. I simply answered questions as to cause of dismissal, that is all.

Q. As a result of Mr. Purvis' visit south, do you know how the rates paid on the Pacific division to clerks, &c., compare with rates in Seattle, or south ?—A. I attempted to estimate them as far as I could without knowing the specific duties of each man, and if there is any error in the figures it is mine. I went through what my chief clerk told me, and the evidence he produced, always having in mind what I considered was the extent of their work done here in comparison with theirs.

By Mr. Bird :

Q. Is not this information of the general superintendent collected in the head office of the company at Montreal ?—A. No, by me here, and I may say, Mr. Bird, that I never did any since the strike began.

Q. Is there not a book kept in the head office at Montreal called a staff record book? —A. There may be, but I don't know it officially. Possibly, I should judge there would be.

Q. Is it not the custom of the company to keep complete records of a man's career, which would include inquiry into his record for some years prior to his employment by the company ?—A. Yes, we do that ourselves here.

Q. And for the sake of reference I should say these documents are filed in schedules similar to the system used by mercantile establishments ?—A. Well, I know noth-

ing about the system regarding the staff book. I simply sent information there, and that is all I know.

Q. Supposing you want to get a man's record who has previously worked on any division of the railway ?—A. On this division ?

Q. Supposing a man has worked, say on the Atlantic division, and he is out here and applies for employment, what is the course you adopt ?—A. He should produce a certificate of service when he applies.

Q. Then in regard to the clearance ?—A. If we get a clearance we write to the superintendent and ask for his record there. We are guided by that. We have seen so many spurious forgeries that is one reason why we do that.

Q. Do you write to the Montreal office ?—A. No. I have never communicated with Montreal about men.

By His Lordship :

Q. You say you have had forged clearances ?—A. I have had them here. One from Kansas City—the late Mr. Deschenes' signature. They put in a dead man's signature.

By Mr. Bird :

Q. Now, I am informed that your clearance papers do not always carry to the casual reader their true significance. That clearance papers are given 'left of his own accord.' Does that mean exactly what it purports to mean ?—A. So far as I am concerned it would.

Q. I am informed that there is a file stating that a document bearing that means 'Employ him on no account.' ?—A. Never heard of such a thing in my life.

Q. Where one of these clearances bears on the face of it, 'Left of his own accord,' in regard to any employee, it really means, 'Don't employ him on any account.' When I said your views I mean Mr. Beasley ?—A. I tell you if Mr. Beasley did that he would never work for me.

Q. You say that is not the case ?—A. I say so distinctly.

Q. They say—I have heard from a gentleman who should be an authority in regard to superintendents that a water line with the crane's head struck off, appearing on the paper of the clearance means, 'Don't employ him on any account,' and although the testimonial is all right on the face of it, it is different when held up to the light ?—A. That is a new phase of railway life for me.

By Mr. Rowe :

Q. They will teach you bad practices if they keep on ?—A. Yes.

By Mr. Bird :

Q. Apparently this document which was put in evidence some days ago from the Great Northern, so far as their practice is concerned, they don't pretend but what they give clearances on the face of them ?—A. I saw that certificate, but as I said the man is employed, I have never seen the clearance. The question with me is how you got that document.

Q. Might not the fact of it getting into the waste-paper basket be the reason he is employed ?—A. No, documents of that sort do not get into the waste-paper basket.

Q. Is it your practice to put the actual facts on the face of clearances ?—A. No except dismissed for cause. We are bound to say that.

By Mr. Davis :

Q. You don't mean that you put anything that is not an actual fact ?—A. Oh, no.

Mr. BIRD.—I really think, Mr. Commissioners, that it would be unwise to proceed with a direct cross-examination seeing that friendly relations are about to be assured.

His Lordship.—I don't see much object in it. There are some statistics I would like to get.

Q. I would like to know what number went out on the road ?—A. I should say about seventy per cent, but will give you the figures. I will give them to Mr. King.

Q. I understand some men went out at Nelson, Revelstoke, Winnipeg and other places. We would like to get the statistics ?—A. I can give you them at each point—a statement.

Q. Were there any men went out at these points besides members of this U.B.R.E. organization ?—A. I never inquired as to what they really were. I never asked the question. Some might have gone out in sympathy.

Q. There were some blacksmiths went out at Revelstoke ?—A. The machinists and fitters went out, as Mr. Watson said yesterday. I fancy about 48 or 50.

Q. They went out in sympathy with the U. B. R. E. ?—A. So I understand. They had contracts with us at all events.

Q. Tell us shortly what occurred about that ?—A. These machinists and fitters went out in sympathy, as I understand it, with the U.B.R.E. strikers, and we then had to call in the aid of the Canadian head of that order to assist us in proving to these men that they were breaking their agreement. That was done in the case of the machinists and fitters, I think, by Mr. Holmes. This was reported to us by our officials. The blacksmiths did not come out, but they refused to work with the helpers we sent there, consequently, they were idle for a few weeks without pay. We were determined to live up to our agreement and we would not dismiss them. We had to call on the Canadian agent, Mr. Marshall, I think, of Winnipeg, and he came there and settled the matter.

Q. You say these blacksmiths and machinists would not help ?—A. The machinists and fitters went out, but the blacksmiths did not. They stayed there and refused to work with imported labour.

Q. You don't mean labour imported from the other side ?—A. Oh, no; labour brought from Montreal and Winnipeg.

Q. Will you give us some idea of what delay has been caused by the strike with reference to freight ?—A. I would say there was very little. I could not claim, for instance, that a strike of a few men in Vancouver is going to delay things between here and Winnipeg. I should judge there would not be one per cent of the delay between here and Winnipeg.

Q. How much business has been delayed in the city by the non-delivery of freight ?—A. I am not quite certain as to that.

Q. I have heard on the street, Mr. Marpole, that the projected additions in relation to the rebuilding of this hotel in the city has been retarded. Could you tell us anything about that ?—A. Well, it was fully the intention of the company to proceed with those additions, and owing to the fact that the responsible contractors whom I approached would not undertake the work without a strike clause, and knowing labour disputes here I could not take the responsibility of advising the management to go on with it. Under orders from the management we decided to wait and see developments, and see whether we could get some responsible contractors to undertake it with a good bond, and we abandoned it for that reason.

Q. How long do you expect that state of affairs will exist ?—A. Until some government action; I am not going to take the responsibility. It is too serious for me to answer.

Q. During the strike here was there any picketing ?—A. Yes, probably I could show you some photos if you would like to put those in. They won't recognize the individuals, but will show how men were congregated on Cordova street and down by my own house, and particularly opposite the station.

Q. Was that practised during the whole strike ?—A. Until they got tired, yes.

Q. Could you give us the number ?—A. I cannot say how many were actual pickets. The photographs show from 30 to 40 men. I might say that no men ever accosted me, and I have nothing to say as to what they did.

Q. Do you mean to say your house was watched ?—A. No, I think they were searching the wharf or the platform next to my garden. I am aware that my house has been picketed two or thre times during the trouble, I don't know what for. Maybe to see whether the U. B. R. E. came to see me.

Q. I understand the C. P. R. has brought coal over from Japan ?—A. We are bringing over 10,000 tons. The first cargo is in the harbour now. This was in consequence of the trouble on the Island. Our source of supply was practically cut off by reason of the strikes there.

Q. How much coal have you brought from there ?—A. There will be 10,000 tons by this time, one ship in the harbour, one due on Monday, and two others following.

Q. What do you estimate you paid for that coal ?—A. How much money is going out to the colliery for that ?—A. About $55,000.

Q. It would have been earned in British Columbia ?—A. No, I should judge about $37,000 less. That is what we would have paid for this 10,000 tons of coal delivered here, about $37,500.

Q. I suppose if it came to pass that these strikes were lasting an indefinite time, you would ultimately get coal much cheaper from Japan ?—A. Certainly, my Lord. We had to get what we did in a hurry, and I suppose we could make contracts to get it here by some Japanese mines. I might add that we could get coal from Puget Sound, but it was of inferior quality, but we could not get a guarantee that that would be delivered to us.

J. McCREERY, sworn.

By Mr. Davis :

Q. What is your position ?—A. I am local freight agent.

Q. You have been freight agent for about a year ?—A. Since June, 1902.

Q. There was something said the other day with reference to working overtime. The chief biller in your office is called the chief billing clerk ?—A. Yes.

Q. What are the regular hours of your staff ? Are the chief billing clerk's hours —regular hours—the same ?—A. The same hours, only we have to make it a rule that the chief billing clerk, on the arrival of steamers from the Orient, that he must be on hand to do any billing after six o'clock. Regular hours are 8.30 to 6.

Q. And when the Oriental steamers are in the rule is what ?—A. That he must be down there in order to bill freight from the Orient to the east.

Q. About how often does that happen ?—A. On an average about twice a month. That is, the arrival of the steamers.

Q. There are only five steamers, the three *Empresses,* the *Tartar* and the *Athenæum* ?—A. Yes.

Q. And the *Tartar* and the *Athenæum* come about every ten weeks ?—A. Yes.

Q. Now, on account of the necessity of the rule being put in connection with the chief billing clerk, is any allowance made to even that up ?—A. Well, while the chief billing clerk is expected to be on duty every night on which this cargo is going east, he is not expected to be on duty again next morning. Sometimes, for instance, it will take him from one o'clock to six in the morning to get through with his work, on the arrival of the steamer. He goes home at six o'clock and does not come on duty again until probably six or seven o'clock, and then works again until one or six o'clock in the morning, probably until he gets through.

Q. With reference to clerks—clerks are not paid overtime, I believe ?—A. No.

Q. As far as your experience has gone, have you ever known clerks in that position to be paid overtime ?—A. No.

Q. Do clerks get any holidays to even up this overtime ?—A. In June, 1902, this question of overtime came up, and it was agreed that all clerks one year in the service should have two weeks' holidays without deduction of pay to make up for overtime. We also allowed Saturday afternoon holidays, all except two.

Q. In reference to this overtime, was any increase in pay made to the chief billing clerk in June, '02 ?—A. In July, '02, there was a conference between the superintendent and the clerks at which Mr. Peters and I were present. The subject of overtime was brought up and it was considered that the increase in pay granted was supposed to thoroughly make up for any overtime the clerks had to work.

Q. Was the arrangement arrived at apparently satisfactory to Mr. Dennison ?—A. Apparently it was. We heard no complaint from him.

Q. You are in the same office as Mr. Dennison ?—A. Yes.

Q. About what was the average of his overtime per week, to the best of your knowledge, during the year he was there. What would be the average for the year per week of overtime ?—A. I don't think it would be more than six or eight hours per week overtime.

By His Lordship :

Q. Do you pay clerks for overtime ?—A. No.

Q. Why shouldn't you ?—A. I don't believe personally myself in clerks working overtime, except it cannot be avoided.

Q. Why should they work overtime unless they are paid for it ?—A. Of course the question of overtime came up last July, and it was considered that any little overtime the clerks had to work this increase in salary was to make up for it.

Q. Then you say they were virtually paid for overtime ?—A. Yes, virtually.

By Mr. Rowe :

Q. What was the amount of the increase ?—A. I think it averaged all round about 13 or 14 per cent.

By His Lordship :

Q. And the increase was about six hours per week ?—A. I say the overtime of the chief biller was, I believe, from six to eight hours per week.

Q. What are the regular hours ?—A. From 8.30 to 6.

Q. How many hours is that ?—A. Eight and a half hours, I think, and of course he had Saturday afternoons half-holiday.

By Mr. Rowe :

Q. What about Sunday ?—A. He had to come back every fourth Sunday and work about two hours in order to get out his time freight.

Q. Is it not possible to have matters so arranged so as not to have clerks work overtime ?—A. I don't think it could be arranged in a freight office, on account of the work in progress. Not so long as all other work is done on a railway. Of course, if you stop freight work on Sunday you have to stop all work in connection with freight.

Q. Don't you think they should be given an allowance ?—A. The clerks understand this when they are engaged to work. They accept the work under these conditions.

Q. It is these difficulties about hours that lead men to form unions ?—A. They understand these conditions thoroughly, everyone of them.

Mr. BIRD.—I feel it is almost impossible to allow this witness to go without challenge, because the statements made by Mr. Dennison and this witness are so widely different.

His Lordship.—Is Mr. Dennison the chief biller ?

Mr. Bird.—Yes.

Q. I understand you are never on duty at night ?—A. I am sometimes.

Q. Do your sometimes mean once a month or once a year ?—A. Probably two or three times a month.

Q. So that as far as Mr. Dennison's claim for overtime, you know only once or twice a month ?—A. I know when I go down in the daytime that he is not at his desk in the daytime.

Q. Do you mean to say if he stays over hours one night he is sure to be late the next morning ?—A. Yes, he always is.

Q. So that he necessarily compensates himself in that way ?—A. Yes.

Q. So that from the fact of having a tremendous amount of work to do he would surely take off the next morning ?—A. Yes, and he most always did.

Q. Does not your course of reasoning show that his staying over hours is entirely unnecessary ?—A. No, the reason is the work cannot be done in the day time. The men load up the freight in the day time, and it cannot be done.

Q. How long have you been there ?—A. About a year. This last time about ten or twelve years.

Q. Mr. Dennison said he was always making complaints ?—A. He has not made complaints to me.

Q. He states he went to Mr. Beasley at one time, and he was told that such overtime necessarily went with that desk ?—A. There is some overtime to be worked. I think about eight hours might cover it, as far as I know.

Q. You judge so far as the once or twice a month that you might see him working overtime ?—A. No, I am there every day, and while he works at night I can tell whether he is at his desk in the morning or not.

Q. If he is at his desk in the morning have you any notice that he is working overtime ?—A. I know by the work being done. But he compensates himself by not appearing on duty next morning. He stays away until six or seven o'clock the next night.

Q. That is when he worked that day and night ? That is when he worked for thirty hours at a stretch ?—A. I never knew of any. He has worked a day and a night, that is to say 8.30 and worked all day and at night from one to six in the morning very often.

Q. And he states further that he has gone on duty at 8.30 in the morning and worked until 8 at night ?—A. I never knew him to do it.

By His Lordship :

Q. I understand you to say that he has worked the eight and a half hours regular work, and then on to one or six ?—A. Yes.

Q. So that he would be practically working 24 hours ?—A. Well, yes.

Q. Do you think a man should be asked to work for a stretch of time like that ? —A. Of course that would be rare. He would often get through at one or three o'clock.

Q. Do you think he should be fined when he makes a mistake under such hours ? —A. Yes, I think so, to maintain the office.

By Mr. Bird:

Q. As a matter of fact, when a man works in Vancouver he gets double pay for overtime ?—A. Only in manual labour.

Q. Because clerical labour has been so discredited they have not been able to get overtime ?—A. I don't know as to that, but in any other office where clerical work is done you will find it the same way. I have never heard of it.

Q. And consequently you don't know that there is clerk's union in Vancouver, so far as the clerks are concerned ?—A. They are a different class altogether, they are not office men.

Q. You don't think it is right that overtime is worth twice what it is ordinarily ?—A. It is all right so far as labourers are concerned, you have to have it.

Q. You say Mr. Dennison got a raise of salary to compensate him for overtime ?—A. That was partly the reason that that was given.

Q. So far as your mind was concerned. But no statement of that kind was ever made to Mr. Dennison?—A. That was the statement made between Mr. Beasley and Mr. Peters; that was what I understood it to be.

Q. As a matter of fact, all the men got a raise of salary ?—A. Yes.

Q. And Mr. Dennison came in for his share ?—A. Yes.

Q. And it was not as chief biller that he came in for his raise ?—A. Some of the men have just as much reason to ask for overtime as the billers.

Q. This really applies to others as well?—A. Probably five or six of them.

Q. Do you mean to say that Mr. Dennison—he has sworn positively before the Commission that he has hardly known what it is to have more than one or two Sundays in a year to himself ?—A. In the event of the *Tartar* and *Athenæum* arriving. They generally arrive on Saturday night or Friday. In that case he would have to work nearly all Sunday.

Q. Mr. Dennison assures me they came in about three times a month ?—A. I think about twice a month. I think we have about 25 ships a year.

Q. I suppose there are tramp steamers in connection with these ?—A. No, we have no tramp steamers—regular steamers.

Q. In the twenty-five steamers you don't include the Australian boats at all ?—A. No, there is very little eastern cargo.

Q. If Mr. Dennison had gone and made a kick about this overtime the probability is he would be dismissed ?—A. Business is spasmodic, and this sort of thing cannot be avoided, but he is allowed to stay over the next day, and if work becomes slack he would get a couple of days off to make up for it, and very often got it, no doubt.

By Mr. Rowe :

Q. This stuff that is necessary to be handled—these cargoes—does that occur several times during the month ?—A. Yes, and when these big steamers come in there is extra help and assistance given to the billing desk.

By His Lordship :

Q. Would it be right for the country to inaugurate a law that these men should be required to work so much time and be paid for overtime ?—A. I don't think it would be workable in an office, because the company, as a rule, try to avoid all the overtime as far as the clerks are concerned. I myself do not ask the men to work overtime except it cannot be avoided.

Q. What I want to get at is this : It seems to me that the men should not be in a position where they are forced to work overtime on pain of dismissal, that is, for such long periods of time as 24 hours. That is, no doubt, what would happen. You would tell these men, if you don't like it you can go, and I will get somebody else ?—A. I am afraid some people overlook the fact that they are allowed time off nearly enough to make up for it.

Q. Yes, but you say they are kept busy most of the time ?—A. In the daytime.

Q. You would not want them to work both day and night ?—A. Well, in the instance of the chief biller, he would have the next day off.

By Mr. Rowe :

Q. Would he have to work the following night ?—A. Yes, to get out the freight that was loaded that day.

Q. When it came to the final night would he have that off ?—A. That is how I figure that the chief biller did not work over six or eight hours overtime. I think eight hours would certainly be the outside, and he gets Saturday afternoon holidays.

Q. What are the opportunities of promotion for the chief biller ?—A. He is entitled to be made chief cashier, chief accountant or chief clerk.

Q. He is next in order ?—A. Yes, the accountant and chief cashier and chief clerk are supposed to be superior to the chief biller, and he is supposed to be eligible for these as they become vacant.

Q. There are larger salaries attached to these positions ?—A. Yes, sir, larger than the chief biller.

G. B. GRIER, sworn.

By Mr. Davis :

Q. What is your position in the Canadian Pacific ?—A. General freight agent.

Q. About how many years' experience have you had in railway freight work ?—A. Nineteen.

Q. Have you worked on other roads than the C. P. R. ?—A. I have.

Q. Has it been a practice on any road that you have worked on to pay overtime to freight clerks or station agents, or men in corresponding positions ?—A. No, sir; I never heard of it, that is in the office staff, no railway I have ever worked for.

Q. Do they at the present time, for instance, pay overtime to clerks in the offices of railways on the Sound ?—A. No, sir.

Q. Just explain, Mr. Grier, why this is ?—A. Well, for one reason, that the poor man would have just as much consideration as the good man. One man can do twice as much work in the same time as another man, and it would not be fair to give any man who shirked his work during the day overtime, because he had to go back at night. A good deal of the overtime is voluntary. I have done a good deal of it myself. We would consider, I can do this particular work better at night because I am not bothered, and I will leave that until to-night and go back and do it.

By His Lordship :

Q. You would go off then for part of the day ?—A. No, but that particular work —they would do something else, but they could have done this just as well during the day if they had seen fit to take hold of it. Some question coming up which you feel you can give better consideration to if you have got a moment at night to fight it out.

By Mr. Rowe :

Q. For instance, when a cargo is being hustled away ?—A. No, that is not the case when a cargo is being hustled away, but then if you pay one man working on this cargo, if you pay him overtime there will be others, and if you adopt a system of overtime you must make it general. You could not make it in any special case.

Q. Are the wages of the clerks arranged with a view to no pay being paid for overtime ?—A. We have never considered the question of overtime at all.

Q. How do the wages paid in the freight offices here, to chief billing clerk and so on, compare with the south of here in similar positions ?—A. Practically the same to my understanding.

Q. How do the hours of work compare in Vancouver with the regular hours in Seattle and Sound cities ?—A. In Seattle they go to work fully one hour earlier than on this side.

Q. So that the hours are shorter with the same pay here ?—A. Yes.

Q. And they work overtime ?—A. I never knew a railway office in which there was not some overtime to be done. A train may be delayed and three days freight come in at one time. During that three days' delay there is practically nothing being done in the office, and after it arrives you have to put in overtime.

By Mr. Bird :

Q. The rates of pay in Vancouver have been raised since the strike ?—A. Not that I know of.

Q. No general raise since the strike ?—A. Not that I know of. Certainly not in my office.

Mr. MARPOLE.—It was on the first of February that the wages were raised.

By His Lordship :

Q. Can you give us any idea as to what extent the delivery of freight has been delayed during the strike ?—A. When the strike was declared we were about two days perhaps that we were unable to make satisfactory freight arrangements.

Q. You mean in unloading freight off the cars ?—A. Yes, and delivering to the consignees, taking the freight to the teams.

By Mr. Bird :

Q. Do you consider that operators and agents are properly classed among the clerical staff ?—A. No, sir.

Q. They receive time and a half for overtime, do they not ?—A. I am not posted on that. That is out of my department.

Mr. MARPOLE.—Operators are paid for special calls for telegraph work. No agents are paid for overtime. A telegrapher is when he is called for telegraph duties only.

By Mr. Bird :

Q. How do you speak with authority on the rates in Seattle ?—A. I have worked on Puget Sound.

Q. And you have worked here for ten years ?—A. No, I have been in British Columbia for five years.

Q. So your knowledge of Puget Sound dates back how far ?—A. Five years.

Q. You don't know whether the same conditions prevail there now as during your time ?—A. No.

By His Lordship :

Q. Have you had many complaints from merchants about inability to get their freight ?—A. We have had a few, your Honour.

Q. How many ?—A. I could not count them. Just practically—we had the same complaints right along in the regular course of business. Some freight might go astray.

Q. These complaints became much more numerous when the strike was declared, did they not ?—A. Yes, I think they did.

Q. I might mention that several merchants in Victoria said they could not get freight ?—A. Well, that is incorrect. We never had any trouble about Victoria freight. It was only in making local deliveries, and what caused that was probably the fact that the teamsters went out in sympathy with the freight-handlers and freight clerks, but our deliveries have been prompt with very few exceptions. I could name maybe a dozen cases where freight has gone astray owing to billing being lost or destroyed, or something of that sort.

Q. Considerable delay was caused by the teamsters going on strike ?—A. Yes, at the time they first went out on strike.

Q. How long did the delay last ?—A. I suppose it took them a week to get other teamsters and start the business moving to any extent.

G. B. GRIER—Vancouver, June 12.

Q. It was stated here by a baker this morning that he had to get his flour worked into a warehouse and taken from there to his shop ?—A. I think that would be correct. I have heard of cases where a car has been switched down to a point in the yard where the teamsters would not have known that it had been teamed away.

Q. The non-union teamsters ?—A. Yes, or the union teamsters.

Q. It would be done on the sly ?—A. Yes.

Q. Were there many cases ?—A. Yes, quite a few.

Q. That would be a case where the Teamster' Union was on strike and the men working ?—A. Yes.

By Mr. Rowe :

Q. Any case of demurrage on car lots ?—A. Yes, a great deal.

Q. That is, they could not unload the cars in time to avert it ?—A. Well, we never assessed it. If, through this strike they were unable to take delivery by reason of the teamsters, or temporary difficulty in procuring men, we did not assess the demurrage. Of course there is a great deal of demurrage all the time, but in these cases it would be given consideration.

WILLIAM D. MUIR, recalled.

By His Lordship :

Q. You have been sworn, Mr. Muir—have you got those papers ?—A. Yes, sir.

(Papers produced and put in as Exhibits 65 and 66. Exhibit 65—list of firms. Exhibit 66—agreement.)

Q. Forty-three people in all ceased doing business with you ?—A. Yes.

Q. On the ground that you were known as what is called unfair ?—A. Yes, sir.

Q. Do you know whether or not your name was posted in the Trades and Labour Hall ?—A. I don't know myself. Some gentlemen said this morning that it was.

Q. Well, I can tell you that it is, for I saw it there myself ! We are now certain of it. Is there anything more you wish to say ?—A. Yes, the case of the flour, why I had to take the flour through the wholesale house was because my union men would not take it if it was hauled by non-union teamsters. I had to do this way to get the union to handle it. They would take it from the sidewalk, but not from the track. I sent one of my men up and we brought it through this wholesale grocery.

By Mr. Rowe:

Q. That disinfected it ?—A. Yes, that is the idea.

By His Lordship :

Q. One of your men took it out of the car, and then the union men took hold of it. Your man was doing the scab act ?—A. I guess it was.

WITNESS.—In the month of January, here before this trouble came up, I was notified one Saturday night about 11 o'clock. I was notified that no work would be done in the shop unless some action was taken. That was in the forepart of January. Some little difficulty among the men was the cause of that trouble, about pay or something. I gave in to that. On Monday morning, after I had lost about sixty dollars' worth of bread that was spoiled through want of notice of the trouble——

By His Lordship :

Q. Does the agreement call for notice ?—A. Well, I am not just sure whether it does or not. It was for twelve months, and I never expected anything like that would happen.

Q. As far as I can see this is an iron-clad agreement for a full year ?—A. Yes, and I lived up to that to the letter of the law. I understood that no party could change it. That's why I entered it.

Q. What were the circumstances ?—A. The first trouble came up. I think there is a part in that that says so many hours per week. This particular week there was a holiday, and in that particular week they worked about five hours more, and they claimed overtime. This week they had worked some 48 hours and demanded pay for three hours over the 45. The agreement was for 54 hours.

By Mr. Rowe :

Q. They thought forty-five was the maximum because of the holiday ?—A. Yes, but it did not go over the fifty-four. It would be six hours less than the other week.

Q. I suppose they claimed that three hours of their holiday was taken off ?—A. They claimed everything over 45 was entitled to time and a half. I claimed that it should be over 54.

By His Lordship :

Q. Apparently their view was that you broke the agreement by asking them to work on the holiday ?—A. They didn't work on the holiday. They worked more than 45 on the other days. For instance, on Monday they worked eleven hours. They had been receiving payment from me. I explained that unless they went over 54 hours, no overtime would be demanded.

Q. There is no provision in this agreement by which they should give you any notice if you broke it ?—A. No.

Q. Their contention, you see, was that you had not lived up to the agreement. The agreement makes no provision for giving notice in that event, so they were not called on to give you any notice if you were breaking the agreement ?—A. There was no evidence that I had broken it. The second trouble came up over my discharging a man. I had about $40 worth of bread spoiled over that. When the third time came I made up my mind I would not give in.

Q. What did you do ?—A. I kept on supplying the bread. I did not discharge any men. Six out of the eight stayed with me; the others left.

CHARLES A. WILBAND, recalled.

By His Lordship :

Q. Have you got the papers asked for ?—A. Yes. This is the 'Bakers' and Confectioners' Journal.'

(Put in as Exhibit 67.)

Q. There is an article in this paper—this is the official organ of the International Bakers' Association ?—A. Yes, sir.

Q. There is an article in it : 'Notice, the following men (giving the names) are expelled by order of the union.'

Q. What is the object of a publication of that kind ?—A. Providing, you see, that we would go to other places in the States to seek employment, and in going to make application into any union they would have that paper, and we would have to go in under a big fine. That goes to every union man wherever there is a union; each individual man gets the paper.

Q. Then, this paper circulates gratis among the members ?—A. Yes, that is for members only.

Q. And every bakers' union, I suppose, in the States would have a copy of this list? —A. Yes.

Q. And the effect of that is you could not apply for reinstatement ?—A. Without paying a fine.

Q. That would be the effect if you didn't want to join the union in the States. Could you get work ?—A. Well, the effect would be, if all the shops were union shops you could not get a job.

Q. You would have to go to a non-union shop ?—A. Yes, or else pay a fine.

Q. How many people are there in the Bakers' Union ?—A. I could not say.

Q. Do they form a majority of the bakers ?—A. They form a big majority, but I could not say how many there is of them.

Q. You might identify this document ?—A. That is the constitution of the Journeymen Bakers and Confectioners' Association. (Exhibit 68.)

CHARLES WOODWARD, sworn.

By His Lordship :

Q. What is your occupation ?—A. I am in business, a general merchant.

Q. You got into trouble with the union here recently ?—A. Yes, they put us on the blacklist.

Q. What do you mean by blacklist ?—A. It is being unfair to union labour and to unions.

Q. Why was that ?—A. I don't know any particular reason, other than that Mr. Hilton—we were putting up a building here——

By Mr. Rowe :

Have you got a copy of the poster blacklisting you ?—A. Yes. (Put in, Exhibit 69.)

By His Lordship :

Q. This was posted where ?—A. On a telephone pole at Keefe Street and Westminster Avenue.

Q. Have you seen any other posters ?—A. Yes, I saw one that Mr. Hyman got off another pole in another part of the city.

Q. Is it put up in the union hall ?—A. I don't know.

Q. Well, let me tell you that it is. I saw it myself. Tell us how this came about? —A. When we decided to build, Mr. Hilton, I think it is, the Trades and Labour delegate, or at least looks after the unfair people and sees that men are union men, and looks after union interests in general, he waited on me a couple of times and wanted to know if we would not have certain conditions incorporated with whoever took the contract of the building. We had not entered into a contract at this time, but had advertised for tenders. We agreed to that, provided it did not cost any more money.

By Mr. Rowe :

Q. What were the conditions ?—A. I have my own letter and Mr. Hilton's letter in answer to it.

By His Lordship :

Q. You had better read these two letters ?—A. The letter from myself to Mr. Hilton is as follows (Exhibit 70) :—

SESSIONAL PAPER No. 36a

March 6, 1903.

To Mr. Hilton :

Dear Sir,—Since talking with you in reference to our building and the best way of protecting union labour, our company has decided to go into this, and if possible try and carry out your views, believing as we do that the best interest of our city would be served, as well as the country at large.

Now, will you kindly give me in writing the different clauses you think desirable for the protection of union labour, and we will endeavour to have them incorporated in our building agreement with Mr. Cook, who has been awarded the contract of building our store. We hope to be able to fetch around a more friendly and better state of affairs between Mr. Cook and your respective unions, believing thereby to help advance the prosperity of our city.

Kindly let me have these suggestions of yours on or before Monday forenoon, say 10 o'clock. If it is not convenient for you to deliver them to me I will send for them. if you will let me know by 'phone.

I am, respectfully,

(Sgd.) CHARLES WOODWARD,
President.

The answer I got to that was on Monday from Mr. Hilton:

VANCOUVER, March 9, 1903.

Chas. Woodward, Esq.,
Department Store,
Westminster Avenue :

Dear Sir,—I am in receipt of yours of the 7th inst., and note with pleasure the desire expressed by you on behalf of your company to bring about an understanding between Mr. W. Cook and this council, and would state that there is no contractor in the city of Vancouver that this council would wish to be on friendly terms with more than with the same Mr. Cook, who has proved to be a stout opponent, and would therefore make a strong ally.

The points that I would suggest for the protection of union labour in the building trade, are as follows :—

Recognition of the Vancouver Building Trades Council and its card system, as now in force and effect, which of course carries along with it the rates of wages established in the various trades, or about to be established on the 1st of April; hours of work and overtime. All these minor points, however, are embodied in the point, viz., recognition of the council and running the job under the card system.

I am, dear sir, yours obediently,

(Sgd.) C. I. HILTON,
Business Agent.

Q. What office does he hold ?—A. Business agent.

Q. Of what ?—A. The Trades and Labour Council.

Mr. BIRD.—As a matter of fact, he is the delegate of the Building Trades Council, business agent of that council.

By His Lordship :

Q. What became of this ?—A. After I awarded the contract to Mr. Cook, at the same time we arranged with him to see if it were not possible to make some arrangement with the Trades and Labour Congress in reference to this card system and also about paying wages. Of course, he satisfied us that he was paying union wages, and more in some cases.

Q. What is meant by the card system ?—A. If Mr. Cook had any men working for him they would have to have cards, and they could not have cards unless they be-

longed to the international union, and of course Mr. Cook's men belonged to the local union, and could not have cards.

Q. What kind of union ?—A. It is a Canadian institution; they have a charter, I believe.

Q. What is the name of it ?—A. I could not tell you the name of it.

Q. So Cook was employing union men ?—A. Yes.

Q. But not men belonging to the international ?—A. No. After discussing the matter with Mr. Cook, we said we wanted to have this thing arranged. It was injurious to our business, and we had a good many friends among the men. He agreed to meet a committee from the International Union, and we acquainted Mr. Hilton. I don't know what the result of that meeting was, only what I gained from Mr. Cook, I asked him if ever that meeting took place, and he said no.

By Mr. Rowe :

Q. And the next you heard of it was this ?—A. Yes.

By His Lordship :

Q. Is Cook going on with the job ?—A. Yes.

Q. Has there been any interference ?—A. Not that I am aware of. There have been no delays.

By Mr. Rowe :

Q. Did you know he was hostile to the union, or that the union were out with him when you gave the contract ?—A. Yes, and for that reason we reluctantly gave Mr. Cook the contract.

Q. What was the inducement ?—A. There was considerable difference in the contract price.

By His Lordship :

Q. That is all you have had to do with it, that is the only reason why you are posted up as unfair ?—A. So far as I know. I don't know of anything else.

Q. Have you found your business has suffered anything from being posted up ? —A. No, I think it has increased.

Q. Been a sort of advertisement ?—A. I don't think it has done any harm.

By Mr. Rowe :

Q. It was not a deep-laid scheme of yours to get the advertisement ?—A. No.

By Mr. Bird :

Q. I appear for the Building Trades Council. You say you knew Mr. Cook was hostile to the unions ?—A. No, I did not say hostile, but they were opposed to Mr. Cook.

Q. Did you not know that Mr. Cook was a very active opponent of union labour in Vancouver ?—A. No.

Q. That between Mr. Cook and the Building Trades Council there was a long-standing hostility——

His Lordship.—Why should that keep off Cook from securing work from Woodward. Do you mean to say the union men of this city are going to dictate to Mr. Woodward who he can and cannot employ ? Is that what the country is coming to ? The sooner we find it out the better.

Mr. Bird.—If your Lordship will permit me I will follow up a certain train of inquiry. It is alleged that this is a blacklist. We contend that it is nothing of the kind.

His Lordship.—What do you call it ?

Mr. BIRD.—A mere statement to every union man that Mr. Woodward and the other gentlemen there are not dealing with union labour.

HIS LORDSHIP.—Allow me to say, Mr. Bird, that I consider it a gross piece of impudence for a body of men to take such a liberty with any man's name on the street. It may be all right in their own hall, but to publish it on the street is very different.

Mr. BIRD.—I know your Lordship has very strong views on the subject.

HIS LORDSHIP.—Yes, I have. It it a piece of outrageous tyranny.

By Mr. Bird :

Q. Your business, Mr. Woodward, is situated on Woodward Avenue, and you deal largely with labour men ?—A. Yes.

Q. And most of them union labour men ?—A. As far as I know, yes.

Q. The labour men might reasonably have thought, as they were almost entirely your customers, that you would support them in return. That would not be an unreasonable assumption ?—A. I don't know. A great many of these men individually, they did not think I was justified in taking any other course when I explained the circumstances to them.

Q. So far as you have come across them you have found union men reasonable ?—A. Yes.

Q. And this may have arisen from a misunderstanding ?—A. Well no, they could easily have found out the facts. I have been twelve years in the city, and everybody knows the stand I have taken. My sympathy has always been with the union and labour. I have always fought for them.

Q. Your letter premises that position ?—A. Yes, I believe in good wages being paid.

Q. The only difference, so far as you are concerned, is you have assumed in supporting Mr. Cook you were supporting union labour ?—A. I assumed this : This is the age of competition. I am not a socialist. I have to compete with other men. Our company would necessarily have to award that contract, all things being equal, to the men who would do that building at the lowest price, and we acted on that assumption. That is the reason the contract went to Mr. Cook, not that we had any friendly feelings particularly with Mr. Cook than others; in fact, we had not as much.

Q. You tried to get those contractors representing union labour ?—A. As a matter of fact, I made an appointment with the man who had the tender in next to Mr. Cook.

Q. What was his name ?—A. Shindler. He is a man who is on the fair list and considered fair to union labour. In discussing this thing I said, supposing anything should occur that we could not give this to Mr. Cook, are you prepared to carry it on. In fact, he did not seem anxious about it, and in the next interview said he did not want it, or words to that effect. His contract, as far as my recollection goes—it would make a difference of between $1,300 and $1,500 between the two prices.

Q. This is an incorporated company you now represent ?—A. Yes, I am the manager.

Q. And the three men mentioned in that list are incorporated——A. We were the promoters of the company.

Q. Did you not feel that it would be in the best interests of your company and the shareholders of the company to give this to union labour which largely supports you ?—A. Yes, we did. We thought they were the largest body and as a question of business it would be in the best interests of the company to make a sacrifice, and we were prepared to make a sacrifice. While this conversation was taking place with Shindler we had not closed the thing with Mr. Cook.

Q. And you were prepared to do something in the interests of union labour in Vancouver ?—A. We were prepared to make a sacrifice. I won't say in the interests of the union. We don't get all our business from the union, but it was in the general interest.

Q. This is a pretty big contract of yours; $1,300 would not amount to much ?—A. Yes, but the other man would not take it. If we had agreed to give it to him he would not have taken it.

By Mr. Rowe :

Q. I suppose the union men did not say they paid Mr. Woodward any more than they did anyone else ?—A. No, we were selling to all alike.

By Mr. Bird :

Q. Now, as a matter of policy, if a certain class of citizens in this city showed themselves unfriendly and would not desire to deal at your store, you would not as a natural consequence desire to deal with them ?—A. I find it is natural that we desire to stay with our friends as much as we can.

Q. Is it not natural, under these circumstances, that the Building Trades Council should not desire to——A. How could they expect us, how could any man expect us to makes a difference of some thousands of dollars in a contract just because he was a friend of theirs. It is not common sense, it is not reason.

Q. In honesty to your stockholders and to yourself, you could not do it ?—A. No.

Q. You spoke of international unions. Is this an American union, this Building Trades Council ?—A. As far as I know, it has its headquarters in the United States.

Q. Now, would you be surprised to know that the headquarters of the Building Trades Council is in Manchester, I mean the Amalgamated Society of Carpenters. You would be surprised to know that the Building Trades Council is a purely local institution. I believe that that is the case ?—A. How do you reconcile them being affiliated with the others who are international ?

Q. Do you know as a matter of fact that that is the case ?—A. No, I don't.

Q. The Amalgamated Society of Carpenters and Joiners, one of the principal signers of that, I understand, is an old country organization, and one of the strongest in the world, some 75,000 members ?—A. Some of those unions that are listed there as endorsing this thing never came up before them at all.

Q. Do you know that as a matter of fact ?—A. I know it from some of the members. I know also from a man, a member of the Trades and Labour Council, told me that that thing never came up before the Trades and Labour Council. I don't know whether that is a fact, but I can get the man to prove that.

Mr. Bird.—It may be necessary to challenge that.

Mr. Rowe.—It occurs to me that the constitution of the Amalgamated Society of Carpenters would not permit them to do that.

His Lordship.—How did the name of that society get there ? Judging by the representatives in Victoria, they would not support such an action as that.

Mr. Bird.—I am reading from the constitution of that very society :

> 'The Amalgamated Society of Carpenters and Joiners offers a bond of union to the trade in various parts of the world. Although oceans may separate us from each other, our interests are identical; and if we become united under one constitution, governed by one code of rules, having one common fund available wherever it may be required, we acquire a power which, if judiciously exercised, will protect our interests more effectually and will confer greater advantages than can possibly be derived from any partial union.'

Now, I understand that they feel here, in connection with this, that it is necessary to take some such measure to protect human interests.

Mr. Rowe.—I know that they have to give three months' notice before they can go on strike.

His Lordship.—Do you find anything in that constitution that warrants any placarding a man up from pillar to post all over the city? Let us see the clause that warrants that.

Mr. Bird.—As to that, I may say that I am not entirely going by the constitution. I expected rather to show that case against the union might be defended——

His Lordship.—It would take a good deal of ingenuity on your part to defend such an action as that.

Mr. Bird.—That may be so. I had not gone into the matter as fully as I would have liked. There is a meeting to-night, and I will try and get information and present it to-morrow.

His Lordship.—That is a matter that ought to be threshed out. The power that will give a union power to do a thing of that kind on the public street ought to be pretty well defined.

Mr. Bird.—There may be circumstances——

His Lordship.—There is nothing so apt to provoke a breach of the peace as that sort of thing, a man being held up to public ridicule and insult.

Mr. Rowe.—I think that the true character of these things has not been realized I think they have been reached by easy stages.

Mr. Bird.—I agree with you, Mr. Commissioners. I think they don't realize the position; often when men are hot-headed and have been turned down and investigations of this kind, I think, are productive of good, in opening the eyes of men to the real facts.

Mr. Rowe.—I would be very much surprised if the Amalgamated Society of Carpenters would not express condemnation of that action, unless it was taken with more deliberation than appears from Mr. Woodward's evidence.

Mr. Bird.—I think the matter should be gone into. I suppose Mr. Woodward had better attend in the morning.

George Bartley, sworn.

By His Lordship:

Q. You are editor of a paper published in Vancouver?—A. Yes, sir, the 'Independent.'

Q. You are a socialist?—A. What is a socialist?

Q. Do you entertain the same view as Mr. Dales?—A. No, sir, I don't.

Q. He is the editor of the other paper, the 'Western Clarion'?—A. Yes, sir.

Q. Are you an advocate of trades unions?—A. Yes sir.

Q. What do you say as to the incorporation of trades unions? Would it be a good thing?—A. That depends. In some instances it would be proper, and in some instances, I consider, it would be detrimental to the union. For instance, a union that is a stable institution, that is fixed and has property, they certainly should be incorporated, but a union that will spring into existence for perhaps three or six months, and the class of workmen engaged in this particular trade, will be hawked around from one part of the country to the other, I don't think incorporation would be a good thing simply because the same parties who predominated in the union would not have an opportunity at all times to have a say in the business of the union.

Q. Have you had any experience with strikes?—A. Yes, sir.

Q. What do you say as to the best method of settling them?—A. Arbitration.

Q. By that do you mean compulsory arbitration?—A. Well, I believe that compulsory arbitration is all right, provided conditions are equal, in this regard: if there were a compulsory arbitration Act in force in the province in the present time, the great preponderance of union men would not have confidence in its administration, because the legislature is made up of a majority of men who are not in sympathy with their interests because their business prevents them throwing a certain amount of sentiment into conducting a board of arbitration. If there was a secretary equally advisable to the legislatures that make the law, who could see that the carrying out of it would be profitably done, I believe compulsory arbitration would be a good thing; but at the present time, I certainly would be opposed to compulsory arbitration.

Q. The advisability of compulsory arbitration would depend on the arbitrators, not the legislation?—A. You don't have the drawing up of the act, and the appointing of the real arbitrator, the chairman of the board of arbitration.

Q. Who would you suggest he should be?—A. It is impossible for me to make a suggestion. These things would have to be worked out.

Q. Should he be a judge, or some other person than a judge?—A. That would depend a good deal on the case. I believe, if it was a case brought before a board of arbitration of purely technicalities, that is, discussions confined entirely to technicalities of the trade, I don't think that a court judge would hardly be fitted for a position of that kind. When I say that I don't think that the judges would be biased at all, but I don't think their training would fit them to be proper persons to sit on a board of arbitration.

By Mr. Rowe:

Q. Well, in the practice before the courts they have a good deal of technical matters before them, such as medical matters. I should think they would be able to grasp the points of technicalities. It must be somebody who is trained to weigh evidence and grasp the facts?—A. That is a question which is agitating the greatest minds we have in the labour movement to-day.

Q. The fact that everybody seems to want to avoid strikes would seem to indicate that every help would be given to a court of arbitration and that the ambition of the arbitrators would be to reach a settlement agreeable to parties to disputes, they might soon lose their influence and be driven out of their position if they showed any bias?—A. I personally would be in favour of having an experiment in the matter.

Q. What do you say as to sympathetic strikes?—A. That would be entirely depending on the circumstances. The organization to which I belong are opposed to sympathetic strikes—the Typographical Union—because if we adopt the principle of going out in sympathetic strikes with trades with which we might possibly be allied, with any trades and labour council or central unions we would be in strikes all the time because the business in which the Typographical Society is involved is always mixed up with both sides to the controversy in the way of newspapers.

Q. In fact they could not carry on a strike if the printers quit work?—A. I presume they realize that. I might add too that we have got what we call the Printing Allied Council. That body is a purely local affair in each instance. It is composed of representatives of one or perhaps three from each body connected with the printing business, such as bookbinders, pressmen, stereotypers and typograph men. If there was a strike brought on they would come out in sympathy with each other, because their occupation is practically one but under different departments, but say in the case of a strike between a railway, the printers would not be in a position to go out on strike with them. We have a schedule of wages wherever there is a typographical union, and that is lived up to very rigidly.

Q. Do you know any reason why there should be more labour troubles in British Columbia than other parts?—A. I could not say.

Q. How do you think the conditions here are as compared with other provinces?—A. I think, regardless of all troubles, that conditions here are the best on the contin-

ent of America. Another thing I have noticed is, there is a sort of line of demarcation between the east and the west, and we might say that line follows pretty well the Mississippi and the Great Lakes. It seems when matters pass that particular line they become better. I think you will notice the difference in the labour movement as compared with that in the east. As near as I can make out by reading, the American Federation of Labour represent something like 2,000,000 workmen. West of the Mississippi I don't believe there would be much over a quarter of a million of organized workmen. You can see the difference in the organization. There is a spirit of political advocation among the western classes of men which is almost obscured in the east, although they pretend to have their candidates, but the returns in the elections show that the sympathies of the people in the east are not with the political movement.

By Mr. Rowe :

Q. Have you formed any theory as to this recent epidemic of strikes in the mines and railways ?—A. I could not say as to that. I would say a good deal of inexperience is one thing. This is a new country, and there are hundreds of men in unions who have never been in a union. You take a number of unions, they have to get burned once or twice before they get sensible. Older organizations don't do that so much.

By His Lordship :

Q. When you give a boy a tin sword he is bound to try and do some mischief with it ?—A. I look on trades unions as purely a business proposition, not one of sentiment.

Q. You think a strike is a thing to be avoided ?—A. I certainly do.

By Mr. Rowe :

Q. Do you think there is any connection between the unstable political conditions and labour conditions ?—A. I think to a certain extent, but not as much as one would suppose from the news we hear.

Q. I mean the actual political condition, and politically in British Columbia we have not had a stable form of government, as you know ?—A. Yes.

Q. I was wondering whether you thought industry and trade were in any way aggravated by these conditions ?—A. Well, we have to deduct out ideas from certain quarters. I believe that to a certain extent that the unstable condition of government is the cause of certain amount of discussion on these questions, politics that otherwise would not be brought up, and when they thrust politics upon the minds of the people, the mass of the people are not really fitted to reason while these things are on. But still we find troubles in the older countries also. At the present time there is no occutry that I know where the working class could control things like they could in British Columbia, if they could agree among themselves.

F. J. RUSSELL, sworn.

By His Lordship :

Q. You hold some office in the Trades and Labour Council ?—A. Secretary.

Q. You are one of the members of what is called the headquarters committee of this strike ?—A. Yes, sir.

Q. Who are the other members ?—A. There are so many. Mr. Garnham, Mr. Turnbull, Mr. Robinson, Mr. Brooke, Mr. Halton, Mr. Capstick, Mr. Walker, Mr. Kerr, Mr. Soper, Mr. Johnston, Mr. Thompson——

Q. Is that C. H. Thompson ?—A. Yes, sir. I think that is about all.

Q. Is Mr. Bulley a member ?—A. No, he belongs to Victoria.

Q. What was the exact nature of this committee ? Was it a joint committee of the different organizations ?—A. That committee was appointed, as near as I can remember, about ten days after the strike came on. When the other unions came out we added on one or two, so that the others would know what was going on.

By Mr. Rowe :

Q. The nucleus was the U. B. R. E. ?—A. Yes.

By His Lordship :

Q. Who are the U. B. R. E. men ?—A. All I named down to Mr. Walker, I think. That was the executive.

Q. What office did Garnham hold ?—A. At the time we went on strike, Mr. Halton was east at Montreal and Garnham was appointed acting agent.

Q. He would be the chairman of the committee ?—A. No, Mr. Brooke was chairman.

Q. This committee was in constant communication with Mr. Estes ?—A. More or less, yes.

Q. And I believe met frequently with Mr. Estes ?—A. Yes, when he was here.

Q. How many organizations besides the U. B. R. E. went out on strike ?—A. Three, the teamsters, longshoremen and B. C. steamshipmen, and there were fifteen men belonging to the carmen came out about a month afterwards.

Q. Can you tell us how many were in the teamsters' union ?—A. About 190, I think, as near as I can remember.

Q. They all went out ?—A. About 80, I think. The rest were working at work where they were not mixed up with freight from the C. P. R.

Q. These 80 went out because they could not handle freight ?—A. Yes, sir.

Q. And the longshoremen, how many were they ?—A. About 135.

Q. Did they all come out ?—A. So far as I know, yes.

Q. Why did they come out ?—A. I could not tell you except for the same reason, except that they objected to working in conjunction with scabs handling scab freight.

Q. Neither the teamsters or the longshoremen had any difficulty with their employers ? It was on account of scab freight ?—A. As far as I know.

Q. Now, about the steamshipmen ?—A. I cannot tell you as to that. Some 50 or 60, I believe, joined after the strike was on.

Q. Did they all go out ?—A. I think so. I think it was 60 went out in the first place, and then there were a great many joined afterwards. I am not positive, however.

Q. These three organizations, the teamsters, the longshoremen and the B. C. steamshipmen went out in sympathy with the U.B.R.E. ?—A. Well, I don't know as to that.

Q. That is what you would call a sympathetic strike ?—A. I don't know. That is not my idea of it exactly.

Q. That appears to have been Mr. Estes' idea, judging from the correspondence ?—A. I understand that in the case of the teamsters and longshoremen that their surroundings were made so that they could not stay in and be good union men.

By Mr. Rowe :

Q. What about the others, the steamshipmen ?—A. The same, I suppose. But I believe the real breaking off of negotiations between the C. P. N. and the steamshipmen was they claimed Captain Troupe had broken an agreement.

Q. Do you believe in sympathetic strikes ?—A. If the work is all practically under one head I do. If the work is divided I don't. That is, I don't believe in men getting themselves misled if they cannot do any good.

Q. Now, it seems to be a practice in the Trades and Labour Council to post up people as unfair in their hall ?—A. There is very few that we post up there.

Q. How long has that practice been prevailing there ?—A. There have only been one or two instances with the Trades and Labour Council. That is left to the unions who are involved.

Q. I see you have room on two big blackboards ?—A. Yes, there is room for lots of names. Those were left us by the Methodist Church.

Q. Are those official blacklists ?—A. I don't know anything about those. Those are the Building Trades Council, that is a distinct council altogether.

Q. Those are on your bulletin board ?—A. Yes, any union has the use of the boards.

Q. Any union can put up a blacklist of its own ?—A. Yes.

Q. Yes, but this was endorsed by the Trades and Labour Society ?—A. Yes, I was present at that meeting.

Q. How did the name of the carpenters get in there ?—A. I don't know anything about that. I was not present at their meeting, so I could not tell what was done.

Q. This headquarters committee—what were the officers, chairman, secretary and treasurer ?—A. Yes.

Q. Were they all U.B.R.E. men ?—A. That is the U.B.R.E.—of course, all moneys that came in came from that source, but in paying out money for relief it was through the treasurer appointed by the whole committee. Mr. McIver, of the teamsters, was the first one. His name should have gone down on that executive. He was treasurer until he got a job and then, I think, Mr. Thompson took it.

Q. What was he, a steamship man ?—A. Yes.

Q. Did you give help to the Teamster Union and the Longshoremen's Union ? —A. Yes.

Q. You gave financial assistance to them ?—A. Yes.

Q. That is, the money came first to them as U. B. R. E. money ?—A. It was both U. B. R. E. money and money put in by different unions.

Q. The bulk of it was U. B. R. E. money ?—A. Yes, and nearly all the money that came into the Trades and Labour Council came from the States. The United Brotherhood of Carpenters and Joiners was one of the biggest contributors to the U. B. R. E.

Q. Can you estimate how much money has been lost by the strikers by reason of the strike ?—A. No, I never figured it up.

Q. Can you give us a rough idea of how much has come in the way of aid ?— A. I should say, probably, somewhere about $8,000 or $10,000.

By Mr. Rowe :

Q. Did the U.B.R.E. ask these other unions to come out ?—A. No, sir, not that I am aware of.

By His Lordship :

Q. Would it surprise you to hear that Mr. Estes had made arrangements with some of these other organizations to come out ?—A. If he did, I don't know anything about it. In fact, the day before the teamsters went out I was talking to the president, and I said, I don't think it would do any particular good, but the next morning they were out.

By Mr. Rowe :

Q. When did you first hear of the steamshipmen's strike ?—A. The first I knew about it was the notice sent us from Victoria.

Q. From whom ?—A. I don't remember whether it was from Mr. Bulley or not.

By His Lordship :

Q. Bulley was the secretary of that body, was he not ?—A. I think he was the president of the Victoria body, or vice-president.

F. J. RUSSELL—Vancouver, June 12.

Q. Any moneys that the U. B. R. E. sent to that association would be sent to him, would they not ?—A. I don't know whether he was acting as treasurer or not. I was acting as secretary for the Trades Council advisory board. So many things turned up, it is pretty hard to remember just what did occur.

VANCOUVER, June 13, 1903.

J. C. MEISS, sworn.

Mr. BIRD.—I may state that I call this witness at his own request, as he is anxious to leave. My idea is to show there are combinations of capital as well as labour that do things that probably would not meet the view of the Commission as right.

Q. What is your occupation ?—A. Cigarmaker.

Q. About the first of April were you in need of lumber ?—A. Yes, for fixing up a cigar factory.

Q. Did you proceed about procuring it ?—A. Yes, sir, we went to the Royal City Mills. We were told if we wanted any lumber we had to have it O.K'd by the British Columbia Milling Company. I think that is the name.

Q. Don't you mean the B. C. Manufacturing Association ?—A. Yes, sir.

By Mr. Rowe :

Q. You had to have their O.K. ?—A. Yes, sir.

By His Lordship :

Q. Why ?—A. For the reason when we went down to get the lumber if we had a union carpenter working on the job, they would not allow us the lumber. There was trouble between the carpenters and employing contractors.

Q. A strike for better hours and better pay ?—A. I think so, whatever it was.

By Mr. Bird:

Q. Did you go to the B. C. Association ?—A. I did.

Q. Have the Builders' Exchange quarters there ?—A. I believe so. They asked who was going to do the work and I told them, knowing that I was telling a falsehood, but knowing I had to do that to get the lumber. It seemed here that we should have to wait for weeks. They would O.K. it, provided we did the work personally.

Q. Did you know whether there was an arrangement made by the B.C. Builders' Exchange that nobody should get lumber at all who was employing union labour ?—A. I believed that was so.

Q. Who did you go and see ?—A. I could not say just now the names of the men who O.K.'d it, but the first one of the Royal Mills, and I was told by the clerk in the charge of the mill that I could not get any lumber unless it was O.K.'d by the B. C. Association. He told me they could not sell any lumber unless it was O.K'd. by the Millling Association.

Q. Why ?—A. Because for the simple reason that if we put any union labour on. The clerk didn't say that, but at the B. C. Association they asked me that.

Q. Who did you see there ?—A. There was two of them. One of them was a young man about 22, or a little older. I stated our case, and he called someone else from the other room, I presume it was the manager. He put me some questions asking what we wanted the lumber for, and who we wanted to perform the labour on it. I told him we were going to perform the labour ourselves, and the next day after it arrived we employed a union to do it. When we had the lumber we thought we could do with it as we saw fit.

Q. Did the Milling Association give any reason why it had to be O.K.'d?—A. I was told at the mill.

Q. Did either of the men you saw say there was any arrangement of that sort?—A. No, they did not. I presume there was something between them because they would not give me any lumber at the mill until it was O.K'd.

Q. Did you offer to pay for it?—A. Certainly, cash. Offered to pay for it at the mill. The lumber amounted to $14.40 and I gave him a $20 bill. I was told before I went down that if I said union men were going to do the work that I could not get the lumber. When I went to the man at the mill he went to work and figured out about what it would amount to. He asked me what we were going to do with it and I told him. He said, before you get the lumber you will have to go to the B.C. Association and have it O.K.'d.

Q. The cash question did not come up between you and the milling people?—A. No.

Q. What I want to get at is : Was there anything said, either by the Royal Mills people or the Milling Association people, to give any foundation to the fact that they would not supply any lumber to union men?—A. Yes, I was prompted before I went there to tell them I was going to supply the labour.

Q. If either of these people had told you it might have had some consequence?—A. Didn't he ask me in the B.C. Association who was going to do the work? I told him I was. I know if I had stated union men I would not have got it. Union men had gone down to get lumber and they would not supply them with it.

F. JOHNSTON, sworn.

By His Lordship :

Q. You are president of the Longshoremen's Union here?—A. Yes, my Lord.

Q. How long has that been in existence?—A. Since November 17, 1888.

Q. The longshoremen have been out on strike?—A. No, my Lord.

Q. They have not been working lately?—A. No, but we have not been on strike. We ceased work on principle because we could not handle scab material.

Q. When did you cease work?—A. On March 4, 1903.

Q. And how many of you ceased work?—A. 140 men.

Q. All the members of the union?—A. All the members of the union.

Q. How did you know that scab material was being handled?—A. Well, the day prior to us ceasing work the freight-handlers had ceased to work, and they were all union men, and any one taking their places was scabs.

Q. How did you know the freight-handlers had ceased work—who told you?—A. I saw it in the paper.

Q. Do you take for gospel everything you see in the paper?—A. Not if it is the C. P. R. organ, I don't.

Q. That is the only way you know that the freight-handlers came out, because you saw it in the paper?—A. Some of the members told me they were out.

Q. Who told you?—A. I cannot recollect the members' names particularly. I am not very good at remembering things, especially names. I don't take anything in my head more than I can help.

Q. Did you or the secretary of your union get any notice from the freight-handlers or any other organization that they had gone out?—A. I don't recall that.

Q. A matter of small consequence, I suppose?—A. Yes.

Q. What is your idea of a sympathetic strike?—A. I don't know anything about sympathetic strikes.

Q. You don't know anything about sympathetic strikes, never heard of one before; would not know a sympathetic strike if you ran up against it?—A. No, I would not.

Q. You do know about striking against scabs and scab freight?—A. That is not striking, my Lord, that is principle.

Q. Did you have any communication with Estes about this trouble?—A. No communication with Estes concerning——

Q. Did you have any interviews with him?—A. As a personal friend, of course, I came in contact with Mr. Estes, but all conversations between Mr. Estes and myself were private, nothing concerning the strike at all.

Q. Have long had you known Mr. Estes before he came to Vancouver?—A. I did not know him until he came to Vancouver.

Q. He was a great friend of yours, was he?—A. Not a great friend, didn't say so.

Q. And you had a lot of private conversations?—A. Not a lot. I may have met him ten or twelve times.

Q. And the subject-matter of the strike never came up?—A. Not in my presence.

Q. Never talked about strikes at all?—A. No, strikes did not interest me.

Q. Never talked about ceasing work, he did not discuss the question of your coming out?—A. Decidedly not, it had nothing to do with him that I know of.

Q. Did you get any financial help from Mr. Estes?—A. No.

Q. From the U.B.R.E.?—A. Not from them as a body.

Q. From whom?—A. From whatever financial aid has come in. It has not come from headquarters, it has come by subscriptions from different union men, not only from the U.B.R.E. but other unions who felt it their duty to assist one another as unions. It is not the sympathetic part of it, it is the principle.

Q. Who did you get the financial aid from?—A. I have no record of the different unions who subscribed.

Q. The U.B.R.E. gave you some as well as the others?—A. Not that I know of.

Q. The executive committee did?—A. From the executive, certainly.

Q. Were you on the executive?—A. Yes.

Q. Did you have consultations with the other members of the executive as to the strikes?—A. Very little, because I had too much to do looking after my own body.

Q. You mean the men who went out?—A. The men who went out, the longshoremen.

Q. Did you have any understanding with Mr. Estes how long the men were to remain out?—A. I told you, my Lord, at the first, that I had no conversation with Mr. Estes about the strike or the men.

Q. No conversation with any other members of the headquarters committee about that?—A. No, my Lord.

By Mr. Rowe:

Q. Did your union have a meeting before they quit work?—A. Well, we must have a meeting to declare the thing unfair. It was our ordinary meeting. It happened it was our ordinary meeting the night before we ceased work, so we called no special meeting for that at all. It came in the ordinary routine of business.

By His Lordship:

Q. And at that meeting a resolution was adopted to the effect that the C.P.R. was unfair?—A. No, but that the freight we should handle would be unfair, being handled as it was the day before we declared to come out, by unfair or scab men, men who take the union men's places.

Q. Have you gone back to work?—A. Yes, we resumed work yesterday.

Q. There are some of these scabs still handling this freight?—A. For the time being.

Q. You can stand the scab freight for a few days?—A. Well, my Lord, you know the agreement is not signed between the C.P.R. and the employees yet. We have gone

back to work pending the decision which we know will be accepted anyhow. I take it of course that the freight handlers will resume work about the 22nd of this month.

Q. All I desire to know is whether you can handle scab freight for a few days, because if you can, it seems to me you can stand it for a few months?—A. If you force it along that line——

Q. What I don't understand is, you cease work on principle, and it appears to me you are prepared to surrender your principle for a few days?—A. Certainly.

Q. If for a few days, why not for a good long time?—A. One is a commencement of the trouble, and now, as I take it, this is a cessation of hostilities.

Q. You say you went out on principle to prevent handling scab freight?—A. Yes.

Q. And you are handling it to-day?—A. Yes, but don't you know at the time of strike there is a chance to give the company time to get rid of their substitutes and to give the union a chance to get men to take their places. If that thing had been called off yesterday with everyone concerned, things would be in a pretty mess.

Q. I guess it is not your fault, Mr. Johnston, that it is not in a bigger mess than it was?—A. What I mean is there would not have been any men here to perform the work. The substitutes would have walked off the docks, and there would have been no men here to replace them.

By Mr. Rowe:

Q. At the meeting at which you decided the freight was unfair, was any member of the U.B.R.E. present?—A. No.

Q. No address made on the subject by anybody other than members of the union?—A. No, we transacted all our own business.

Q. Did the resolution require the meeting to quit work next day?—A. Yes.

Q. Is your union affiliated with International Longshoremen's Union?—A. Yes.

Q. Have you a copy of the constitution?—A. Yes.

Q. Was your union asked to appoint a member of the headquarters committee?—A. The headquarters of our international?

Q. No, the committee here of the strike?—A. It was the executive committee.

Q. And it was an enlarged executive of the U.B.R.E. Was your union asked to join that committee?—A. We were not asked to appoint one, but of course naturally the unions that came out, the B.C.S.S., the longshoremen, and teamsters naturally had members sitting on that committee,

Q. Were they there by the appointment of their respective lodges?—A. Well, certainly.

Q. Had your union any schedule with the men you worked for, any contract?—A. No, we have no particular schedule with any particular employer, because a good deal of ours is casual labour, but we have what is called a port wage, and all employers know that port wage.

Q. You have no contract as to the number of men you will furnish the contractor?—A. That all depends. If we have the men we supply them. It is not under a contract, it is an understanding.

Q. Any understanding as to notice to these men if you purpose not working?—A. No, if a man does not suit him an employer has the right to discharge that man at a minute's notice, giving a reason, of course. Of course the men also have the same option. The same sword cuts both ways.

By His Lordship:

Q. Do you know anything about picketing?—A. The only thing I ever knew about picketing is out on the prairie. If you have no stable for your horse, you drive a stick——

Q. It seems to me, Mr. Johnston, you are pretty green for the president of a longshoreman's union?—A. I may be a little green, but I'm not cabbage-looking anyhow.

F. JOHNSTON—Vancouver, June 13.

GEORGE NOONAN, sworn.

By His Lordship :

Q. You are secretary of this longshoreman's union ?—A. Yes, my Lord.

Q. You, with 140 members of the union, quit work on March 4 last ?—A. Yes.

Q. Why ?—A. On principle.

Q. What is your principle ?—A. The principle is that I could not as a union man handle freight if the freight-handlers had gone out on strike.

Q. Could not handle scab freight ?—A. No.

Q. Did you notify the company that you were going out ?—A. No, my Lord.

Q. Went out without giving any notice. How was this question of coming out decided by the union ?—A. On principle.

Q. Yes, but you had a general meeting ?—A. At our ordinary regular meeting.

Q. You mean the meeting of the executive or the meeting of the whole ?—A. Of our union.

Q. How was that meeting called ?—A. It was our regular meeting night. It came up in the ordinary course of business.

Q. How often do you meet ?—A. Every other Tuesday.

Q. And this matter came up at a regular Tuesday meeting ?—A. Yes.

Q. The Tuesday before you went out ?—A. Yes, my Lord.

Q. Does not the constitution provide for a special meeting to be called for the purpose of considering a strike ?—A. This is not a strike.

Q. What do you call this ?—A. We just ceased work on principle.

By Mr. Rowe :

Q. I suppose a strike is not on principle, then ?—A. I don't consider this a strike.

By His Lordship :

Q. Would you give us your idea of what a strike is ?—A. I presume if we made an advance to the company for an increase in wages or if we laboured under any particular grievance connected with our own organization, which would not be rectified, it would be brought before a special meeting, and if the grievance could not be adjusted we would strike.

Q. And you call this, what ?—A. Ceasing work on principle.

Q. That is something different from a strike. How many of the men of the union decided to cease work on principle ?—A. It was unanimous.

Q. By ballot ?—A. Open vote.

Q. Don't you think a grave question of this kind should be by ballot ?—A. It is not what I think, it is what the majority of the organization think.

Q. What do you think ?—A. No, I don't think it odd.

Q. Was it unanimous ?—A. Yes, my Lord.

Q. How many were there of the whole 140 ?—A. I don't recall, I cannot give an answer.

Q. Were there 20 ?—A. Oh, yes.

Q. Were there 40 ?—A. I should say over 40.

Q. Were there 50 ?—A. Well, going into figures——

Q. You cannot work it up higher than 50 ?—A. I could not say, my Lord.

Q. I will put down 50 ?—A. I don't say there were 50 or not, or over.

Q. Well, you cannot say that there were over 50 ?—(No answer.)

Q. Now, you were the man who got the men on the *Empress* to come out, were you not ?—A. No, my Lord.

Q. Did you have any negotiation with any *Empress* seamen ?—A. No, my Lord.

Q. None whatever ?—A. No.

Q. Are you sure about that ?—A. Quite sure. It was a question that did not concern the longshoremen's union whatever.

Q. Did you have any communication with Bulley, of the Steamshipmen's Association, about the strike ?—A. Not as a member of the Longshoremen's Union, my Lord.

Q. In your private capacity ?—A. No.

Q. In what capacity, then ?—A. Well, I might say as a member of the B.C.S.S

Q. You were a member of this headquarters committee, were you ? The joint board of these unions that quit work, we won't say struck ?—A. Yes, my Lord.

Q. Had you any negotiations with Estes about quitting work ?—A. No.

Q. None whatever, no interview or conversation with him ?—A. No.

Q. Did you ever have any correspondence with Estes ?—A. No, I never wrote a line to Mr. Estes in my life.

Q. Ever receive any letters from Mr. Estes ?—A. No, my Lord.

Q. Would you be surprised to hear there are some letters in our possession ?—A. Written by me to Mr. Estes ?

Q. By Mr. Estes to you ?—A. It would, my Lord, if there was a letter written by Mr. Estes to me.

Q. Did you have any conversation with any man coming out from the east to go on the *Empress* ?—A. No, my Lord.

Q. On the C.P.R. train or elsewhere ?—A. No, never had any conversation with any of the seamen coming out from the C.P.R. Never was on the company's property after the men came out.

Q. You had no conversation on the train with any men who were coming out to take the places of seamen who were leaving the *Empress* ?—A. No, my Lord.

Q. Did the B.C. Steamshipmen's Association receive any money from the executive ?—A. I cannot say as to that, my Lord, I am not in a position to say.

Q. Do you know anything about that ?—A. No.

By Mr. Rowe :

Q. I see a reference to an officer called a delegate, what does that mean ?—A. Mr. Rowe, our delegate is our foreman. For instance, when a boat comes in our delegate interviews the chief officer. The chief officer tells the men how many he wants and where to place them. The delegate calls off the men and directs the placing of them.

Q. And I see that a union man cannot take a job on the ship except at the instructions of the delegate ?—A. Our contention is that it is to prevent unnecessary trouble. The chief officer tells the delegate how many men he wants. On most boats the delegate stays there and superintends the men, and assists the chief officer in placing the cargo. The delegate—where he doesn't do that, where the matter is left entirely in the chief officer's hands, he generally appoints a member of the union to act, and if the chief officer wants any more men he generally tells this member. That is done to prevent unnecessary confusion by men coming to work out of turn. We have a list. It begins with No. 1. If the ship wants twenty men the delegate calls down to twenty, and the rest of the men are told to go home. Then when that boat is finished and the next boat comes in, the delegate starts where he left off and so on down the list.

Q. And you would impose a fine on any man who proceeded differently to get work ?—A. Yes.

Q. 'No member shall take upon himself to commence work without permission of the delegate,' and so on ?—A. Yes.

Q. Under what article of your constitution did you take action at that meeting in which you decided not to work any more ?—A. There was no article of the constitution brought into effect. It was solely on union principles.

Q. Would a member of the Longshoremen's Union who worked after that meeting be subject to discipline ?—A. He most assuredly would.

Q. What would his relation to the lodge be ?—A. He had disobeyed an order of the union. He would, in my opinion, Mr. Rowe, be subject to discipline for the simple reason that he had gone against the wishes of the majority.

By His Lordship :

Q. That is a question outside of the constitution, according to you. This is not a strike ?—A. It was a rule of the union that the union cease work, and in the second or third article of our constitution, section 3, it says members shall obey all orders from time to time——

Q. There is nothing in the constitution about ceasing work ?—A. If we were to print every detail in the constitution, like a copy of the law, it would be a big volume.

Q. That is an important matter—that all the men came out. That is not a mere detail. That appears to me to be about as important a matter as could be considered.

By Mr. Rowe :

Q. When you say the rules of the union, what do you refer to, by-laws ?—A. No, rules or motions, or any decision arrived at by the union.

Q. It says here that no part of the by-laws shall be amended except by notice of motion, such motion to lay on the table for a month. So if it became a principle for the men not to work there would have to be a month's notice before it could be had. The reason I ask this question is that if we find that unions don't live up to their constitutions it has the effect of creating a feeling of insecurity on the part of those who are dependent upon the proper observance of these rules. I see here the constitution says, 'No strike or boycott shall be encouraged.' What do you understand by boycott ?—A. I don't know, Mr. Rowe, it is a thing I have never gone into. I have nothing to do with the adoption of the constitution. I presume that constitution was gotten up by a committee of the members. Personally, the word 'boycott' or anything of that kind is a thing I have never gone into.

Q. So you don't know what that means when it is here in the constitution ?—A. No, I cannot say that I do.

By His Lordship :

Q. You see, Mr. Noonan, you have undertaken to tell us about a union principle. Surely if you understand all that, you understand what is meant by boycott. You say you are dealing with a question of union principle. Now, boycotting has been very frequently discussed in unions ?—A. I have no knowledge in the organization that I belong to, that the word boycott was ever used.

By Mr. Rowe :

Q. Why did your union think it wrong to handle this freight ?—A. They considered because the C. P. R. men had gone on strike, or had been forced out, that it would be wrong for us to go down there and handle that freight which had been handled by men they thought unfair.

Q. What effect would your action have upon the fortunes of the U. B. R. E.?—A. I don't know as we discussed that matter at all. We simply ceased work.

Q. Your ceasing work was not for the purpose of helping any union in this struggle ?—A. Well, if you have a mind to take it that way, yes.

By His Lordship :

Q. Did you have any communication with Thompson of the B. C. Association about the *Empress* ?—A. About the *Empress*, no. I want it understood that any communication I had with the B. C. S.S. related to their business. The business was never discussed by the longshoremen in any shape or form.

Q. What is your office in the B. C. Steamshipmen ?—A. I am the secretary of the Vancouver division. I understood that I was subpœnaed here as the secretary of the Longshoremen's Union.

Q. You have not done anything in connection with this strike that you are ashamed of ?—A. No, my Lord.

Q. Well, I don't see why you hesitate to tell us all you know.

J. C. KERR, sworn.

By His Lordship :

Q. You are president of the Teamsters' Union here ?—A. Yes.

Q. That union quit work on the 4th of March ?—A. On the 12th March.

Q. How did they come to the conclusion to do that, how was it decided to quit work, and why ?—A. Because it came in contact with scab freight and baggage on the wharfs.

Q. Have you got a copy of your constitution here ?—A. No, sir.

Q. Can you get one ?—A. Yes, sir.

(Copy of constitution put in—Exhibit 73.)

Q. Was this matter decided at a general or special meeting ?—A. General meeting.

Q. One of the ordinary meetings ?—A. Yes.

Q. No special notice given to consider this question ?—A. No.

Q. How many men are in the union—the Teamsters' Union ?—A. I think over one hundred.

Q. How many men were at the meeting ?—A. I think they were nearly all there.

Q. Nearly 100 ?—A. Yes.

Q. Was the question decided by ballot ?—A. No, by open vote.

Q. Were there any dissenting ?—A. Just two.

Q. You went out on the 12th ?—A. Yes.

Q. Why did you go out ?—A. We were forced out by our employers.

Q. Have you got a copy of the resolution which permitted you to go out or the resolution transcribed in the minute book ? Do you keep minute books ?—A. Yes.

Q. Have you a copy of the resolution ?—A. No.

Q. Do you remember how it reads ?—A. No, my Lord, I don't.

By Mr. Rowe :

Q. What did it require of the members ?—A. A two-thirds vote.

Q. In general terms, what did it state, what men were to stop work ?—A. All that came in contact with scab freight and baggage on the C. P. R. service.

Q. Is there anything about scab freight in this constitution ?—A. I don't think so.

Q. So all the freight and baggage which came over the C. P. R. wharf was unfair ?—A. Yes.

Q. There could not be any fair freight on that wharf ?—A. No.

Q. Would that apply to freight sheds, too ?—A. The local freight sheds, yes.

Q. How many men were affected by this order of the union ?—A. I could not say exactly how many, I think about one-half of our union.

By His Lordship :

Q. Did you have any agreement with the C. P. R. about your wages, any written agreement ?—A. We have nothing to do with the C.P.R.

Q. How did you know this was scab freight you were being called on to take ?—A. Well, we saw by the papers and by the members of the other unions on the wharf that they were out.

Q. Members of the freight-handlers told you they were out ?—A. Freight-handlers, yes.

Q. Were you on this executive committee ?—A. Yes.

Q. Did you get any money from the U. B. R. E. to help you ?—A. No.

Q. Whom did you get money from ?—A. From the executive.

Q. Where did they get it from ?—A. From different unions.

Q. Some from the U.B.R.E. ?—A. I don't think so.

Q. Nothing whatever from the U.B.R.E. ?—A. I could not say.

By Mr. Rowe :

Q. Who collected the money ?—A. No person collected it.

Q. To whom was it sent from the various unions ?—A. To the executive, I expect.

Q. Who decided the amount that was to be given to the various unions ?—A. I could not say.

By His Lordship :

Q. You were a member of the executive ?—A. Yes.

Q. The matter never came up ?—A. To go to the different unions ? No, there was not any amount specified.

Q. It was never decided at the executive meeting as to whether the Teamsters' Union should get a certain amount or the longshoremen ?—A. No.

Q. On what basis was the money distributed ?—A. Well, a person that was really needy and could not find work and asked for assistance, why they would get assistance.

Q. The individuals would make application ?—A. Yes.

Q. What do you understand by sympathetic strike ? Can you give us any light on that subject ?—A. No, not very much.

Q. You would not call this a sympathetic strike ?—A. No, I don't think I would call it a sympathetic strike.

Q. If you would not call this a sympathetic strike, tell us what you understand by a sympathetic strike ?—A. I suppose you might call it a sympathetic strike. Some would and some would not.

Q. There is not much doubt about it, is there? You had no grievance with your employer ?—A. No. We had a verbal agreement with our employer that we were to handle no freight or material—no scab material.

Q. When was this ?—A. In case there was a strike on they were not to ask us——

Q. With whom was this arrangement come to ?—A. With our employers.

Q. Who were your employers ?—A. The master draymen of the city.

By Mr. Rowe :

Q. They have an association ?—A. They had.

By His Lordship :

Q. When was this agreement entered into ?—A. I really don't know; to save trouble, I suppose.

Q. When did you arrive at this arrangement ?—A. When we were recognized as a union.

Q. How long before you went out ?—A. It was quite a long time before we went out.

By Mr. Rowe :

Q. Before the U.B.R.E. strike ?—A. Yes, sir.

Q. Did your international union or general executive approve of the union's action ?—A. We went out on our own stand.

Q. Didn't ask for approval of the general executive ?—A. No.

Q. Did you get any assistance from the general executive?—A. Yes, sir. From the headquarters you mean ?

Q. Yes. You got money from the defence fund, it is called that in the constitution. 'Money from the defence fund shall be drawn on only for the following purposes: for the purpose of strikes, for the purpose of defending the principles of unionism, &c, &c.' Is that the fund from what you draw assistance ?—A. I expect so.

By His Lordship :

Q. Did you have any communication with Estes about this organization ?—A. None whatever.

Q. Or any interview with him ?—A. No.

Q. Did you have any discussions with any U.B.R.E. officers?—A. I don't recollect as I did, that is, the officers.

Q. Who did you discuss the matter with ?—A. Not with any of them particularly, no more than members talking of the situation in general.

Q. I suppose the object of the teamsters was to help the U.B.R.E.?—A. No, not altogether.

Q. Was that one object?—A. I don't know as they figured it was going to help the U.B.R.E. any more than they refused simply to handle the freight. They considered it scab freight.

CHARLES WOODWARD, recalled.

By Mr. Bird :

Q. Is this an article authorized by you: 'Protest of C. W. Woodward & Co. against Trades Council Manifesto.' (Quoting from Vancouver 'Daily World,' May 29, 1903)?—A. It must have been, so far as I know. (Article put in as Exhibit 74.)

Q. It appears in the 'World' of the 29th of May ?—A. It is an interview.

Q. Now, I bring this to your attention because there is a statement here: 'What the action really means is that the company, to please the unions, should throw away from $5,000 to $6,000 on the price of their building. In this age of competition such a course would be suicidal and union men who hold hundreds of dollars worth of the stock of the company would be among the first to condemn the management for waste——' I understood yesterday the only difference between them was $1,200 or $1,500 ?—A. What I said was the tender—Mr. Cook's was the lowest tender, and the next highest was from $1,300 to $1,500. The next one then was very much higher. It would run from $4,000 to $5,000 and then run from $4,000 to $11,000.

Q. Your explanation of that statement is that the man next higher than Mr. Cook did not want the contract ?—A. I arranged an interview but he came to the conclusion in discussing the thing that he did not want it, and in fact he said words to that effect. He gave us to understand that he did not want it, even had we been disposed to give it to him, but still if we had sooner the figure of Mr. Cook possibly some arrangement might have been made. I will state that the company were prepared to pay some sooner than have any trouble, but there was one thing with Mr. Shindler which he did state and which we could not entertain, that he would not bind himself to complete it in a particular time. He would not bind himself in any way to build them in time through the labour trouble.

Q. Does that mean that Mr. Shindler insisted on a strike clause being inserted ?—A. Oh, yes, he decided on that.

Q. You wanted a time limit with your contract ?—A. Yes.

Q. Have you found that it is absolutely necessary to have strike clauses in contracts in British Columbia ?—A. With Mr. Cook there is an agreement with a strike clause.

Q. That is deferring the ultimate completion in the case of strike ?—A. Not with his own men, but in connection with something outside of his own union. I would like to make a statement here, misrepresented in the 'Advertiser,' that I said that Cook's men were non-union; they are union.

Q. As a matter of hearsay, you know nothing about this matter of union or non-union?—A. Only by what I hear.

By His Lordship :

Q. I see you say something in your article here about having trouble with the union over bread. What was that trouble about ?—A. We were getting our bread in

the store from Mr. Murray, and he was declared unfair by the unions. The unions waited on Mr. Wallace, who looks after the grocery part of my place about it. I did not know about this until they came to me. They came to me on Saturday night and made the same complaint, and gave me until Monday to decide what we were going to do. If we still continued to take Mr. Murray's bread, they would declare us unfair and boycott us. I had an interview with Wallace and I told him. I said, for the sake of having no trouble, you had beter change your baker. I said, you had better change your baker! and even after that we were put on the unfair list.

Q. Even though you changed your baker you were put on the unfair list ?—A. Yes, and it was up a week.

Q. How do you account for that ?—A. I don't know, that occasion was previous to this here, but we tried to have no trouble.

Q. What union posted you that time ?—A. The Trades and Labour Council, the same as this—they have the running of advertisements now in the papers, one in the 'Clarion' and one in the 'Independent.' There is a running ad. in the 'Clarion.' It has been going for same weeks. They have one in the 'Independent,' I think, with Mr. Cook's name coupled with it. I have not got that one. I could not find it this morning.

Copy of 'Clarion' containing advertisement put in as Exhibit 75.)

Q. Have you ever had any union men come to you and tell you he could not do business with you on account of being on the unfair list?—A. Not to me. One of my men told me he had an order of $10 and that he would have to go by my store.

Q. Is that employee of yours here ?—A. He is in the city, in the store.

Q. You don't think it makes much difference to your business being on the unfair list ?—A. No, I think possibly we are making a special effort, the same as other merchants are, cleaning up between fall and spring goods, but we have a better business now than we have ever had in our history.

By Mr. Bird :

Q. This practice of placing on the unfair list is not unknown to you. Did you ever see a calendar like that ?—A. No.

(Copy of 'Unfair' Calendar, Gurney Foundry Company, Toronto, put in as Exhibit 76.)

Q. Did you ever see anything like that (exhibiting), 'Refuse to buy Oxford stoves and ranges; on the unfair list throughout the Dominion ?'—A. No.

(Copy of circular 'Refuse to buy Oxford stoves and ranges put in as Exhibit 77.)

Q. This sort of practice has been to your knowledge in vogue throughout the United States and Canada for some years ?—A. Yes, I have heard of such things.

Q. So when you came up against it yourself you recognized it was not a very serious condition. This document that was circulated as against your stores was addressed to union men of the city of Vancouver and nobody else—the document you complain of ?—A. I don't know, let me see it.

Q. It was not for general circulation, it was for private circulation among the men ?—A. Yes.

His Lordship.—Yes, but they stuck it up on telephone poles.

Mr. Bird.—The unions are not responsible for that.

His Lordship.—Who is ?

Mr. Bird.—I suppose somebody would have a spite against Mr. Woodward.

His Lordship.—It is satisfactory to know that you disown the placing of it on the poles.

Mr. Bird.—As I see it, it was for circulation among labouring men only and intended to be brought to their attention only.

CHARLES WOODWARD—Vancouver, June 13.

EDWARD COOK, sworn.

By His Lordship:

Q. You are the contractor that built Mr. Woodward's building?—A. Yes, my Lord.

Q. Tell us about your version of this trouble?—A. Well, for some time back, some years I may say, we have had more or less friction with union labour here in the building trades.

Q. You are a builder?—A. Yes, and general contractor. At times matters were running very smoothly; we have had things fixed up at their dictation, and we would run along very smoothly for sometimes a week or so, sometimes longer, and the dictation would become so severe that it would become impossible to carry on operations——

Q. What trades do you refer to?—A. Well, all the trades in connection with building, especially bricklayers and stonemasons, carpenters, stonecutters. The result of that was that the men complained, a large number of the men who were fair-minded, reasonable men, they complained so bitterly of the treatment they were receiving that they would have to withdraw from the union in the Labour Council in Vancouver and organize a separate organization, that is, a Canadian organization. At certain times, a number of workmen would arrive from the other side of the line, south of the line, and finally the local men here had their meetings and decided on some radical change which would seriously affect the interests of the men residing here. They were decided on that, but at the same time a strike would be called or they would be called off the work, and were called off my work a number of times. Hence the agitation about a new organization, and I spoke of a national union.

Q. When was that formed?—A. I believe perhaps two years ago.

Q. Was that a union of allied trades?—A. All the trades that I spoke of are working under that organization now.

Q. What is the name of it?—A. They call it the National Union of Canada.

Q. National Union of what?—A. The National Union of Bricklayers, Masons and Carpenters.

Q. Separate unions of their own?—A. Yes.

Q. How did you get into trouble with the Trades and Labour Council?—A. They, of course, consider that every one else is wrong unless they follow their dictation. The man who doesn't follow it is considered to be a very poor type of man. They called the men off the work at every opportunity, and interfered with them as much as they could. Quite a large number of the men I spoke to in this organization refused to be governed by them and are working for me.

Q. How did they come to claim you were unfair?—A. Employing these local men.

Q. Were you notified by any of these bodies that you would be placed on the unfair list if you did that?—A. Yes.

Q. Have you got that notice with you?—A. I only have my name on the unfair list they sent me.

Q. You were notified by the Trades and Labour Council?—A. By their delegated authority. I think I have it in writing, but I am not positive.

Q. If you have it in writing you had better hand it in to the secretary?—A. I am certain about verbal notice.

Q. When was that given?—A. At different times.

Q. You have experienced the unfair list several times?—A. Yes.

Q. What wages do you pay these people?—A. The current rate of wages.

Q. Have you any difficulties with the men now in your employ?—A. None whatever. If I had, not at any time that the men were left to themselves.

Q. Who has been interfering with them?—A. The agitator or walking delegate goes around and gives them notice that they should not work for me.

Q. Who is the walking delegate?—A. Mr. Hilton is one of them. I think that is his name.

Mr. BIRD.—He is in the room.

By His Lordship :

Q. And he goes around stirring up trouble among the men?—A. He goes around and calls the men aside, probably that may be working, and says, don't you know you are working for so-and-so, and in the conversation tells them they should withdraw from the building and they might go away and not work any more.

Q. How many times does that occur ?—A. A large number of times. About a dozen times in two years, within a couple of years.

Q. The same walking delegate ?—A. The same, yes.

Q. As many as two dozen times in a few years ?—A. He don't come much when I am there. He would see the men at other times.

Q. On the work or away from the work ?—A. Away from the work, I think. If I am on the works, I don't permit anything of that kind.

Q. Have you had men quit work on you ?—A. Yes, I have had men called off for no reason.

Q. How many ?—A. About 20 or 25.

Q. All at once ?—A. Sometimes, and sometimes singly.

Q. What explanation was given why they quit work ?—A. They were told that they were working on building that was considered unfair, and for a contractor who was considered unfair by them.

Q. That is the excuse they would give you when they quit work ?—A. Yes. In very many cases they came back and worked in a day or two, or a week, when they found that they had been misled.

Q. Do you find any trouble in getting men to work for you ?—A. Not those under the national union. I have no trouble whatever. They are pleased to work and very much satisfied with the arrangements.

Q. Has the national union a charter ?—A. From the Trades and Labour Council of Eastern Canada.

Q. The Dominion Trades Congress ?—A. Yes, the Dominion Trades Congress.

Q. How many men do you employ as a rule ?—A. Just now we have about 30 men on the pay-roll.

By Mr. Rowe :

Q. Were they out in the recent strike here ?—A. No, my men were not out.

Q. Did they get the wages agreed on as a settlement of that strike ?—A. They were not demanding additional wages. They had received shorter hours sometime before, I think about the first of March, and they were not asking any demands of me.

Q. Are their terms and wages the same as other unions ?—A. Their hours are the same, and their wages are the same so far as I know.

By Mr. Bird :

Q. Could you give us a schedule of the rates of pay that obtains with your work, Mr. Cook ?—A. Yes, I can give it.

Q. Give us the rate per hour of carpenters. How much do you pay the carpenters?—A. Carpenters get 40 cents.

Q. And bricklayers ?—A. Bricklayers are 50 cents.

Q. Labourers ?—A. Labourers vary from 25 to 35, I suppose.

Q. I understand your men work 9 hours per day, Mr. Cook, is that right ?—A. They are paid by the hour.

Q. They work 9 hours a day—A. Not all of them.

Q. Do they have Saturday afternoon off. When they work more than 8 hours a day are they paid for overtime ?—A. They are paid extra.

Q. But not at the excess rate for overtime charged by other men. They get the same 40 cents per hour ?—A. Yes, they are paid for all the time they work.

Q. But not as overtime. They don't get holidays on Saturday afternoons if they work overtime ?—A. That is optional with them.

Q. They can work or not, but they are not entitled to time for overtime hours ?—A. That is arranged between the men and myself.

Q. They just get their ordinary rate of pay ?—A. Not always, sometimes they are paid extra.

Q. For instance, Saturday afternoons; I understand your men always work Saturday afternoons ?—A. No, the carpenters and bricklayers don't.

Q. They have been working on the afternoons since you started the Woodward department store ?—A. Some days, when there was broken time.

Q. Now, you have been an opponent of unions for over two years ?—A. Not as an opponent of unions——

Q. You have been on the unfair list for about that length of time ?—A. No, I was not on the unfair list until about a year and a half ago.

Q. You are a union man yourself, are you not ?—A. Yes.

Q. Do you belong to this union with your employees ?—A. No.

Q. You believe in strikes, don't you, to enforce what you believe to be correct demands ?—A. No, I think they are very injurious.

Q. Never engaged in a strike as a union man yourself ?—A. No.

Q. Ever remember being engaged in a strike in Winnipeg ?—A. No, I don't.

Q. It is reported you struck three times in one day on a certain job, Mr. Cook ?—A. It must have been some other person of the same name.

Q. Do you know any Mr. Sault, in Vancouver ?—A. Yes, I worked for him in Winnipeg.

Q. And did you ever, when you were working for him and had him in a tight place, make a demand and succeed in getting better terms?—A. I never had any trouble.

Q. Was there one day that you and another workman held out and got three separate conditions during one day ?

His Lordship.—Three times ! We all strike for grub three times a day.

By Mr. Bird :

Q. You say that is not correct that you never went on strike at any time ?—A. No,

Q. Do you know anything about this national union ? I am informed that your statement is not correct that these men have a charter from the Dominion Congress, that they were turned out and refused a charter.

His Lordship.—That is, for a technical reason.

Mr. Bird.—For the reason that where there is an international union they could not join.

His Lordship.—Yes, but it appears that these people were not satisfied with the union. That does not make them any the less non-union men.

By Mr. Bird :

Q. Would you correct your statement that they did not get a charter from the Trades Congress ?—A. I would not do that.

Q. Was it not the National Trades Congress ?—A. Well, it may be. I am informed that they have a charter from a Trades Congress in eastern Canada. There may be more than one.

By Mr. Rowe :

Q. There is a National Trades Congress in Canada ?—A. Yes.

By Mr. Bird :

Q. Now, attempts were made by Mr. Hilton and other members of the union to meet you and endeavour to discuss grievances, and for the purpose of having your men placed as proper union men, as understood by the Trades and Labour Council in Vancouver. Meetings were arranged with you ?—A. Yes, Mr. Hilton met me at different times.

Q. And endeavoured to show the situation from his point of view ?—A. He stated their terms.

Q. He wanted you to adopt on your building the card system, as approved by the Building Trades Council of Vancouver ?—A. Those were impossible terms.

Q. In what sense, and where did injustice lie in respect of this request ?—A. One condition is that you must employ the men they supply to you.

Q. You make that as a statement of fact ?—A. I have found it to be so.

Q. You have no choice in regard to your own men on any job ?—A. No, we have no choice.

Q. Do you mean to say the ordinary procedure would be you would send up to the labour hall for any number of men, bricklayers or carpenters, and you would have to take the men assigned to you ?—A. You would have to take the number assigned to you because the number would be so limited.

Q. I understand, according to your statement, that the union men were walking around town. You don't mean that the union men are idle and that your men are working ?—A. During the carpenters' strike, do you mean ?

Q. Generally ?—A. My men have been at work during the strike.

Q. Have you continuous employment for your men ?—A. Generally speaking, I have.

Q. You have fostered this union in order to have a certain number of men whom you could employ on your own terms ?—A. They asked me if I would give them employment. I said certainly, if they would not create disturbances and be satisfied with fair hours and wages which would not be broken.

Q. Have you an arrangement in writing with your men ?—A. No, I have not.

Q. No arrangement with the men collectively as a union as to rate of pay or hours ?—A. No, they govern that themselves.

Q. Do you mean to say you accept the dictation of that national union in regard to wages and hours ? They pay what they think is fair, or what you think yourself is fair ?—A. They discuss the matter with their employers.

Q. Have you had any discussion with your men with regard to rates of pay, or are you an autocrat altogether and say I will pay you so much and you can work or not as you please ?—A. There is no disturbance about wages or hours.

Q. Have you any terms with your men that they cannot go on strike ?—A. They have a rule in their constitution or by-laws that they will submit everything to arbitration.

Q. Have you ever had any arbitration over any points of difference between you ?—A. No, it has not been necessary. Nothing has arisen.

Q. In case they demand a privilege, has the matter ever been submitted to arbitration ?—A. There has not been any dispute, but if there were it would be submitted to arbitration.

Q. Do you mean to say that Mr. Hilton, in your experience, is an agitator ?—A. He is employed for that purpose.

Q. Is he not employed rather in a pacific capacity, in order that there would be no trouble ? That is his contention and the contention of the union ?—A. I have no quarrel with the union.

Q. And I understand in this present instance you don't object to this unfair list ?—A. Well, I have no way of preventing it, unless the Commissioners have.

Q. You mean to say it is a grievance you feel keenly, but have to submit to ?—A. I don't know that I can do anything more. I have been going a straight course from my point of view, and a large number of men are satisfied with the arrangement.

Q. You are a member of the Builders' Exchange ?—A. Yes.

Q. Is it true, the circulated report, that the Builders' Exchange brought pressure to bear upon the lumber manufacturers of Vancouver, that they should refuse the lumber to union labour ?—A. I was not on that committee.

EDWARD COOK—Vancouver, June 18.

Q. Do you know that as a matter of fact as a member of the Builders' Exchange ? A. I know there were certain arrangements carried out between the Builders' Exchange and the Lumber Association at that time.

Q. And that this arrangement amounted to a boycott of union labour ?—A. I know there was an arrangement, but I don't know what it was.

Q. You know by reason of certain arrangements no union man or anyone employing union labour could get one board from any of the mills in Vancouver ?—A. I don't know that to be the case, but I know that some of the executive were dealing with the matters in dispute at that time.

Q. Now a certain gentleman swore that he had applied for $14 worth of lumber, and he had to apply to the Builders' Association for a permit ?—A. I know there was an arrangement by which all orders for lumber were placed through the Builders' Exchange.

Q. What was the object of that ?—A. That is a point I am not clear about.

Q. Have you no absolute certain knowledge ? Was not the object of that permit retaliation against labour for its position ?—A. Not as I understand it.

Q. Was it not to bring the union men to the terms of the contractors ?—A. If I had been present at the meeting I could give a clear answer, but I was not present.

Q. There was a large representative meeting of the Builders' Exchange and the Manufacturers' Association that the men's terms should be acceded to prior to the strike ?—A. I think I personally advocate that there should be a settlement made.

Q. That the terms asked for by the union should be acceded to ? They were asking both larger pay and shorter hours ?—A. I think I was one who advised that a settlement should be made on some reasonable line.

Q. The matter was referred to arbitration ?—A. Yes.

Q. And the men succeeded in getting their demands ?—A. Yes.

Q. You don't know, after reference to arbitration, while the unions were at war with their employers, that these measures were adopted by the Builders' Exchange as a coercive system ?—A. Possibly; the executive were dealing with it, and you can get this evidence from some of them. I was not on the executive board.

Mr. BIRD.—I have subpœnaed one of the executive for the purpose.

JAMES A. FULLERTON, sworn,

By His Lordship:

Q. What office do you hold ?—A. Ship's husband of the C. P. Steamship Company.

Q. Has the company had any difficulty about men quitting work on the *Empresses* ?—A. We have had in the past in connection with sailors on the ship. Of course, the longshoremen have been at loggerheads. In connection with that we engaged quite a number of men in St. John, in the east, and also from New York, but these men in transit were apparently tampered with, as some of the men told me, after leaving New York, that they were approached along the line in regard to the strike being on and requested not to join.

Q. Who was doing the tampering ?—A. I don't know who the boys were, but I personally do know that a man of Vancouver, who I think belonged to the U. B. R. E., tampered with our sailors, men that I went out to meet. It resulted, I think, that four of them who had joined the *Empress of India* and signed articles, disappeared that night and left their clothes behind.

Q. When was that ?—A. That was the night they arrived on the train; I could not give the date exactly, probably three months ago. The *India* was the first ship that

arrived during the strike. Owing to the difficulty we had to take Chinese to make up the complement.

Q. How many men had left the *Empress* ?—A. Probably about 20, I should say, on her returning here.

Q. Had their articles expired ?—A. Yes, the most of them, I think.

Q. Had they signed articles for another trip ?—A. No, for six months.

Q. Did they make any complaint about wages ?—A. Not at all.

Q. No ground given for leaving ?—A. I can only say I think it was sympathy with the trouble ; that is to the best of my knowledge.

Q. Have any of them gone back ?—A. Quite a few.

Q. How long ago ?—A. Some time after the strike, quite a few offered their services.

Q. Were any taken back ?—A. Some men of good character.

By Mr. Rowe :

Q. I suppose there are quite a number leaving at every trip ?—A. Yes, it varies from 6 to 10, sometimes less.

By His Lordship :

Q. How many men had quit you this time ?—A. I should say about 20. There were about 25 of the European crew and about 5 remained on the ship.

By Mr. Bird :

Q. Did any of these men leave on the ground that they had been employed without it being stated to them that they were asked to take strikers' places ?—A. Not to my knowledge.

Q. You mean that excuse was given by nobody ?—A. I didn't hear it.

Q. Don't you know that that was really the excuse ?—A. I don't.

Q. Were these men never informed, as far as you were acquainted with the fact, that they were going to take strikers' places ?—A. Not that I know of.

Q. Do you think it would be fair to inform them of this ?—A. Personally, I think the strike was known from one end of the road to the other, and that any man engaged to join would know.

Q. Was there not a strike on the ships ?—A. Yes, there was a strike, I believe, against the C.P.R.

Q. Don't you think it was the company's duty to tell these men that there was a strike on here ?—A. That would depend on the party engaging them.

Q. Don't you think it would be a fair policy to pursue ?—A. Yes, I think it would be, and if so, to say between man and man, you are going to take the places of striking seamen, although I would not consider it necessary.

Q. Don't you think the same principle as between man and man should apply as between company and man ?—A. Yes, I think it is the only way to get along amicably, but I would not consider it was necessary to tell these men, mind you.

WALTER HEPBURN, sworn.

By Mr. Bird :

Q. I understand you are the secretary of the Builders' Exchange ?—A. No, not secretary.

Q. What is your official position ?—A. President.

Q. You are an employing contractor in Vancouver ?—A. Yes.

Q. You had a good deal to do with engineering the contractors' side of the old dispute with the carpenters ?—A. Something, yes.

Q. Now, I am informed that you found, among other measures that it was necessary to take for your protection, that there was a combination between the Builders' Exchange and the Manufacturers' Association and the mill owners of Vancouver in regard to not supplying lumber to union men ?—A. Well, it was not exactly in that way. Of course, when the strike occurred we organized the Lumbermen's Association to protect us in that way, and of course we did not wish to have any of the strikers employed, because we considered offers we had made were fair, therefore we did not want to see them employed. Of course, that was our object, to have the strike over, and therefore, we asked the Lumbermen's Association, of course, not to supply the lumber and they agreed to do so.

Q. But not to supply any one with lumber—was that not qualified with who was going to employ union labour ?—A. Any one on strike.

Q. Supposing I wanted to buy lumber, what course would I have to adopt ?—A. We did not hamper any one any more than we possibly could.

Q. A certain gentleman said he went down to the mills and was referred to the Builders' Exchange for a permit ?—A. Yes, we would grant it to anyone who was not employing a striker.

Q. In other words, to enable me to get the material, I would have to make a statement that I was not going to employ union labour ?—A. Yes, that is, on strike; not necessarily a union, any men who were on strike. They were union men, certainly.

By His Lordship :

Q. Was a list of these strikers filed with the association ?—A. No, we had no list.

Q. How could you tell ?—A. We simply asked. Those who applied for lumber simply had to say they were not employing any man on strike.

By Mr. Bird :

Q. Do you think that was a just measure to take ?—A. Yes, I think it was.

His Lordship.—Why should the union men complain. This is just a taste of their own medicine.

Mr. Bird.—Individuals under the present system are ground down by their employers until they are forced into taking these tactics.

His Lordship.—But there is tyranny on both sides.

Mr. Bird.—The tyranny starts with the employers. They are on the upper millstone and the men on the nether.

His Lordship.—And the public in between. The public have been drawn between the millstones as it were.

Witness.—I don't think the contractors have been on top. The board of arbitration decided everything as to wages.

By Mr. Bird :

Q. And the wages asked were given on the basis that the increased cost of living rendered the former rate an unfair rate of wages ?—A. I don't think that is the basis on which they decided at all.

Q. Have you a copy of the award ?—A. Yes, I don't think it supposes that.

Q. Was that not the whole contention before the arbitrators, that the cost of living having been gradually augmented during the last few years the present wage was not adequate ?—A. I don't think that was proved before the tribunal at all.

Q. Was it not attempted to be proved ?—A. Yes, but I don't think it was proved. It was left with the third man. I think he concluded that the wages were not likely to continue long. I certainly think that the case for the cost of living fell through. The evidence of their own witnesses went to prove that.

Q. You have been an employer of union labour for a great many years ?—A. Sometimes, yes.

Q. Does the union compel you to keep any man who does not suit you ?—A. Not at all.

Q. If you want men you send up to the union hall and they send down men ?—A. I think, with the exception of one time, I never sent to union hall. Each man has his method of getting men.

Q. Mr. Cook alleged that he was practically compelled by union principles to take what labour that was offered to him. Have you found that to be your experience ?—A. It all depends on the supply of labour. This spring it has been a very difficult matter. We have been compelled to pay 40 cents an hour to men who were not worth 20.

Q. That might be owing to the congested labour market at any time, but a union principle, you are not bound to keep any man the union supplies you ?—A. No.

Q. You have your right of choice the same as any other occupation ?—A. Certainly.

CHARLES THOMAS HILTON, sworn.

By Mr. Bird :

Q. You have heard all Mr. Cook said. Is it your practice and the recognized practice of the unions for you to call men off that are working for men who are deemed unfair ?—A. When they are working for men who are deemed unfair it is, that is, if they are union men under my jurisdiction.

Q. You are a paid employee of the Building Trades Council ?—A. Yes, sir.

Q. You are a carpenter by trade ?—A. Yes, and I work for the Building Trades Council.

Q. What is the composition of such Council ?—A. It is a delegate body, composed of delegates of ten different unions.

Q. This is your constitution ?—A. Yes.

(Constitution put in.—Exhibit 78.)

By Mr. Rowe :

Q. What is the name of your office ?—A. Business agent of the Building Trades Council.

By His Lordship :

Q. That is what is called walking delegate ?—A. Yes, sometimes.

Q. It is stated by Mr. Woodward that this is a document purporting to be a circular of the labour men in Vancouver, was not authorized by the union men whose names are subscribed ?—A. I think that is incorrect, Mr. Bird.

Q. You have personal knowledge of the fact ?—A. The matter was referred to the different unions, and their delegates all voted in favour of this particular action.

Q. That is intended for circulation among labour men only ?—A. Yes, simply for circulation at the different meetings.

Q. Was there any authority to post it up on telegraph poles or anything of that kind ?—A. No. I must say whoever did that had little more shame than common sense.

By Mr. Rowe :

Q. How many copies had you printed ?—A. I think about 1,500 were printed.

By Mr. Bird :

Q. How many labour union men are in Vancouver ?—A. Between 3,000 and 4,000.

Q. So that there would not be enough to go round with them ?—A. No, of course there could be a sufficient supply obtained.

Q. Don't all unions visit labour hall ?—A. Not all. It would not reach all unions by circulation in union hall. I would like to state that Mr. Cook said on the stand that I had visited men on his jobs and called men off. I would like to state that we have never had any men under the jurisdiction of the Building Trades Council employed by Mr. Cook. The job we considered unfair, and outside of our jurisdiction; we did not interfere with it.

By Mr. Rowe :

Q. Do you consider it an unfair job by these men working under the National Union ?—A. We do.

By His Lordship :

Q. Why ?—A. During the strike of the bricklayers about three years ago, which was ordered by a two-thirds vote of the union, certain leading men of that union seemed, some of them officers of the union, after the strike had been in progress for a few days; they went to certain strikers and made terms for these, and went back to work without submitting the propositions to the men on strike. These men have continued in what is known as the local union until some time last winter, when, hearing of the National Trades Congress they applied to that body for a charter, which I believe they have obtained, and of course since they have been in possession of that charter they have been advocating their demands to wipe out the records of the past and to get a good standing as good union men again.

By Mr. Rowe :

Q. Are not two orders of carpenters represented in your union ?—A. The United Carpenters and Joiners had its headquarters in Philadelphia formerly and now in Indianapolis, and the Amalgamated Society, which has its headquarters in London, has branches all over the world.

Q. Why is there not room for a third ?—A. I might answer that question by asking another. Why is there not room for legal or medical associations ?

Q. Because they are legally constituted bodies, and it is supposed to be in the public interest that they should have such powers as they possess.

By His Lordship :

Q. As a matter of fact there are different legal and medical societies in the city ?—A. Falling under one set. There are the boards of trade, for instance.

By Mr. Bird :

Q. They are all attempts to control an industry ?—A. Yes.

Q. Have you any examination by which men seeking to become members of your union shall be subject to ?—A. A stranger coming in has a certain length of time to work and he has to be vouched for by two members in good standing before he can obtain admission. Both the Amalgamated and the other.

Q. Does the Trades and Labour Council enforce any conditions of that kind ?—A. Oh no. It is simply a delegate body.

Q. Are you referring to the Building Trades Council and Trades and Labour Council ?—A. Whatever body is concerned under the circumstances.

Mr. BIRD.—I would like to have gone into and explained the position of the Trades and Labour Council with respect to this unfair list.

HIS LORDSHIP.—What it seems to me, Mr. Bird, is that it is a weapon of warfare, which the union men cannot object to having on the other side. What is sauce for the

goose is sauce for the gander, and this idea about the British Columbia Milling Association coming to an understanding that strikers could not be employed, that is exactly the converse of the strikers who want to boycott the employers. If one method is illegal, then the other ought to be.

Mr. BIRD.—I wanted to show that the same methods were adopted by——

HIS LORDSHIP.—Both sides to the struggle. In fact it is a necessary thing arising out of the situation. It is war. The sword is a two-edged one.

Mr. BIRD.—I have some copies of documents which have been handed to me to bring before the Commissioners in connection with the strike of factory employees here. They have been employed ten hours and are asking for nine hours, and I have been asked to put these before you. There is a notice here to employees stating that all employees who decide not to continue work after the 1st June, for 10 hours per day, are requested to remove their tools on Saturday and apply for their time. The demand for nine hours is a reasonable demand; it has been recognized in every trade, and this is the only case in which they stand out. The employers have considerable unskilled labour and Japanese, and feel that they are strong by reason to stand out against organized labour for what they consider their rights, and by reason of a demand which is unreasonable on the face of it. And they have received that notice, if they don't like it they can take their tools and go.

HIS LORDSHIP.—If it is represented to the Commission that there is any further evidence of a nature that really ought to be brought before the Commission we will hold another sitting here.

Mr. BIRD.—I have been asked to bring this matter before the Commissioners, and it is with a view to that that I have presented this. I think if this were ventilated it might result in a recognition of conditions that might probably be remedied.

HIS LORDSHIP.—I think the Commissioners are satisfied that the great body of public opinion is with the right of men to combine. The only question is as to the limitations of that right, and how far the methods of warfare are admissible. Our cardinal duty in connection with this Commission was simply to inquire into these strikes and report to the government, and not to go into other troubles. We could, perhaps, sit for a longer period and probably not unprofitably, but we have been requested by the government to report by the end of June. It would be impossible for us to say definitely whether they would extend the time, and there are now several hundreds of pages of evidence to be transcribed. There will be notice given if we do not sit.

EXHIBIT 1.

Statement of the Wellington Colliery Company, Limited.

As a preliminary statement, and reserving to themselves the right to amend or add to it from time to time, the company desire to lay the following matters before the Commissioners:—

1. The present difficulty has not arisen from a dispute between the company and its employees respecting the amount of wages paid to, or the quantity or kind of work required from, its employees. All questions of that nature have heretofore been amicably adjusted between the company and its employees without the intervention of any outside authority.

The employees are now insisting on their right to affiliate with a foreign union, commonly known as the Western Federation. They have also demanded that the company should recognize and treat from time to time with the said union.

The company, without pronouncing any opinion on the right of the men to associate themselves with the Western Federation, have declined to recognize that body in the management of the company's property here.

The reasons which have induced the company to take this stand are, among others, the following:—

(1.) The society is a foreign association. Its headquarters are situate, and its executive meet in places outside the territorial limits of Canada.

(2.) The business of the Federation is so conducted that the men who come under its control may therefore be ordered on strike, although no grievance arises in the course of their own employment. They may be willing to work, yet they can be compelled to leave their employment in order to further the interests of the organization in some particular matter which is being agitated in a foreign country, and with which the owners of mines in Canada have no control whatever.

(3.) If the companay recognize the Federation, they cannot consistently object if a strike is ordered according to the constitution, yet, for the reasons above stated, the company would, in such a case, place its undertaking in jeopardy in respect of matters with which it has no concern, and over which it can exercise no control.

(4.) An organization such as the Western Federation, if recognized here, may be used to close the mines in this country, not for the benefit of the men employed, but in order to increase the business or raise the price of coal produced by operators in the United States.

(5.) It is difficult to avoid differences leading to strikes in any trade or undertaking. It is admitted that strikes are disastrous from a commercial point of view, and therefore, on the broad ground of the general welfare and prosperity of the country, the company consider it unpatriotic to accentuate the evil caused by labour disputes by recognizing the right of a foreign authority to assume the position of a dictator in the industrial affairs of British Columbia.

Dated at Ladysmith, the 6th day of May, A.D. 1903.

(Sgd.) E. V. BODWELL,
(Sgd.) A. F. LUXTON,
Counsel for the Wellington Colliery Company, Limited.

EXHIBIT 2.

(Copy.)

Memorandum of grounds primarily responsible for the present trouble at Ladysmith.

LADYSMITH, B.C., May 6, 1903.

1. The mine owner's refusal to employ men affiliated with the Western Federation of Miners.

2. The mine owner's refusal to employ men connected with any union.

3. General hostility to any form of labour organization.

4. The mine owner insisting upon all his workmen residing at Ladysmith as a condition of employment.

(Sgd.) CHARLES WILSON,

Counsel for Local Union No. 181, affiliated with the Western Federation of Miners.

EXHIBIT 3.

Statement by Ladysmith Miners re Strike.

Whereas the Chief Justice and Members of the Commission to investigate the cause of the labour troubles in British Columbia, have suggested that pending the inquiry report by the Commission, the mines should be reopened and the men return to work.

And whereas this local union has taken that matter into its consideration and has arrived at the following conclusions :—

That past experience has taught us beyond the shadow of a doubt, that if we at this time comply with the suggestions of his Lordship and the Commission we feel we would be at the mercy of our employer and that to now abandon our affiliation with the Western Federation of Miners, would be to lose its sympathy and active support and thereby destroy all unity among the workers. That, without the support of an union or organization there in sympathy with it, the men would now, as in the past, be discharged or in some manner forced to quit work. That no men would dare to move in the direction of organization for fear of discharge. Therefore, this union respectfully declines to abandon its affiliation with the W. F. M.

EXHIBIT 4.

Copy of Minutes of Ladysmith miners meeting.

LADYSMITH, B.C., March 8, 1903.

Mass meeting of the miners of Extension mines called to order. Mr. James Pritchard was voted chairman of the meeting. After numerous nominations for the secretary, Mr. S. Mottishaw, sr., accepted the position. The Chairman then explained the business of the meeting was, as far as he knew, to ask for an advance of 15 per cent, which was left for the meeting to decide on motion. However, it was decided to waive the demand of 15 per cent and to organize in the Western Federation of Miners. An amendment was made that a secret ballot be taken, which was seconded and was

carried; finally the amendment was included in the motion. After much discussion it was decided to withdraw the motion and declare by a show of hands, which was done. The vote being unanimous, a motion was then made and carried that the secretary notify Mr. Baker, the organizer of the Western Federation of Miners, as quickly as possible, to establish a branch of that organization at Ladysmith. A motion was passed that we stand by any miner that may be discharged through taking steps to join the Western Federation of Miners.

It was then deemed advisable to take up a collection to defray the cost of rent of the Finn hall, which was done; the receipts therefrom being $11.85.

Rent of hall	$3 00
Telegram	60
Nanaimo return fare	75
Stamps and stationery	25
Total expenses	$4 60
Balance	$7 25

A resolution was passed that the names be taken of those wishing to join the W.F.M., which was done with a satisfactory result.

SAMUEL MOTTISHAW,
Secretary pro tem.

LADYSMITH, B.C., March 12, 1903.

A mass meeting of Extension miners and mine labourers was held in the Pavilion, at 10 a.m.

Mr. James Pritchard voted to the Chair.

Meeting called to order, minutes of previous meeting read and adopted as read, the Chairman then asked if any one had any statement to make. A question was then asked if any men had been discharged owing to having taken part in Sunday's meeting (March 8). On it becoming known to the meeting that Jas. Pritchard, S. Mottishaw, sr., S. K. Mottishaw, jr., and Robert Bell had been discharged, it was moved and seconded that we reaffirm our allegiance to motion passed on March 8 (*i.e.*) to stand by any man who may be discharged owing to having taken part in that meeting.—Carried.

Moved and seconded that the secretary be instructed to write Mr. Dunsmuir with regard to reinstating men discharged.

Amendment. That a committee be appointed to interview Mr. Dunsmuir in regard to reinstating men discharged.

Amendment to the amendment. Moved and seconded, that we stay as we are until Mr. Baker arrives and organizes us as a branch of the Western Federation of Miners before we approach the company with regards to reinstating men that were discharged.—Carried.

The meeting then adjourned until the arrival of Mr. Baker, organizer of the W.F.M.

LADYSMITH, B.C., March 14, 1903.

Mass meeting of the miners and mine labourers of Extension mines. Meeting called to order by the Chairman. Minutes of previous meeting read and adopted. Moved and seconded that the communication from Mr. Baker be received and filed.—Carried. Moved and seconded that this meeting adjourn until the arrival of Mr. Baker, the organizer of the W.F. of Miners.—Carried.

S. MOTTISHAW,
Secretary.

EXHIBIT 5.

Copy of agreement between Canadian Pacific Navigation Company and B. C. Steamshipmen's Society.

B.C. STEAMSHIPMEN'S SOCIETY,
FEDERAL UNION NO. 6, TRADES AND LABOUR CONGRESS,
VANCOUVER, B.C., March, 14, 1903.

(For Publication.)

An agreement has been made between Captain Troup of the Canadian Pacific Navigation Co. and the B.C. Steamshipmen's Society as follows:—'It is agreed that the C.P.N. Co. are not to carry any scab freight or baggage on any boats in the fleet of the aforesaid company, or to carry coal for use on the Empress line of steamers, known as the C.P.Ry. R.M. Steamships at Vancouver.' Should the company desire to break this agreement, 12 hours notice to the men is to be given by the company, and during which time no scab freight or baggage will be handled. This is to be in force during the continuance of the strike.

A. B. BULLEY,
Chairman Victoria Division, B.C. S.S.

EXHIBIT 6.

Typewritten copy of simplified initiation ritual of British Columbia Steamshipmen's Society, of Vancouver and Victoria, B.C.

EXHIBIT 7.

Copies of telegrams (7 in number) sent or received by the Western Union Telegraph Company at Victoria, during March, 1903.

EXHIBIT 8.

Copy of Circular issued by President Estes, of U.B.R.E.

Notice ! To all Union Men. The United Brotherhood of Railways Employees, International Longshoremen's Union No. 211, British Columbia Steamship Society and Teamsters' Union, of Vancouver, B.C., are involved in a strike with the C. P. Ry. Co. The United Brotherhood has ordered out the members of that organization at Vancouver, Revelstoke, Calgary, Kootenay, Rossland, Winnipeg and Fort William,

This strike was due to the C. P. Ry. Co. trying to destroy unionism on its lines.

The three above named organizations have struck in order to assist the United Brotherhood.

The Western Federation of Miners will be asked to stop the mining of coal on Vancouver Island, in order to deprive the C.P.R. of fuel, and they will strike within the next few days.

If you are a Union Man, or if you are friendly to unionism, stay away from British Columbia, and ask your friends to do likewise, as this is a fight to a finish, and the C. P. Ry. must give in or the United Brotherhood of Railway Employees with the assistance of the other organizations will carry on the battle indefinitely.

We ask the aid and co-operation of all unions in helping us to make this struggle a success, and in the end the victory must be ours.

GEORGE ESTES,
President, U.B.R.E.

Denny-Coryell Co., (Allied Printing Trades Council Union Label, Seattle, Wash.) Printers, Seattle.

SESSIONAL PAPER No. 36a

EXHIBIT 8a.

Letters re Steamshipmen's Strike.

P.O. Drawer 675.

CANADIAN PACIFIC NAVIGATION COMPANY, LIMITED,
VICTORIA, February 3rd, 1903.

Captain Troup,
Manager C. P. N. Co.

DEAR SIR,—This morning at a ¼ before 2, the delegate ofthe Firemen's Union came on board and called for me, and he told me that their was a man on board, that owed $5.50 to the union, and he would not pay it, and that he would have to go ashore, as the rest of the men would not go out with him. I sent for the engineer and I asked the delegate to give us 24 hours notice, he said it was against the rules of the union. I then sent the mate down to see what the deck hands were going to do in the matter. He came back and told me they would all leave if that man was not discharged. I told the engineer that he must let him go which he did and the delegate had a fireman ready to put in his place, and we got away at 2.15, and arrived at Vancouver at 8 c'clock. The train was on time to-day.

From your obedient servant,

GEORGE RUDLIN, *A.S.*

P.O. Drawer 675.

CANADIAN PACIFIC NAVIGATION COMPANY, LIMITED,
VICTORIA, B.C., February 5, 1903.

Captain TROUP,
Manager C. P. N. Co.

DEAR SIR,—Your favour of the 4th at hand and I send you Mr. Shaw's report regarding to the firemans trouble and it looks to me a shame that the company should suffer on account of these unions, if we have a good man, and he does not belong to the union, it looks as if we would not be able to keep him. One of my paint scrubbers who is a good man, told me he would have to join the union against his wish, if not he would not be able to sail with the union men.

I remain your obedient servant,

GEORGE RUDLIN, *A.S.*

P.O. Drawer 675.

CANADIAN PACIFIC NAVIGATION COMPANY, LIMITED,
VICTORIA, B.C., February 5, 1903.

Capt. RUDLIN.

DEAR SIR,—In reference to the trouble with the Seamen's Union I beg to state that the fireman discharged on demand of the union had always given satisfaction here and that the man sent on board here by the union to take his place did not give satisfaction and was discharged next day—another union man taking his place. This latter was unable to keep steam up and another change will have to be made. I can apparently only take men belonging to the Union and if they are able to do their work properly, good and well, but if we cannot get good men in the union it will be necessary to take outsiders.

Your obedient servant,

JOHN SHAW.

EXHIBIT 9.

Memorandum re opening of mines at Extension.

Started to work No. 1 slope, November, 1895.
Started to work No. 2 slope, January, 1896.
Started to work at Main tunnel, January, 1898.
Started to build wharfs at Ladysmith, September, 1898.
Purchased land for townsite at Ladysmith, April, 1896.
Cost of $6,340.
Started to ship coal from Extension, September, 1899, about 200 men working.

EXHIBIT 9a.

Wage statement, Wellington mine.—Total of pay sheets.

1902.	
April	$73,549 85
May	76,710 44
June	65,116 52
July	65,440 24
August	71,723 21
September	64,172 50
October	69,695 45
November	68,287 78
December	65,622 48
1903.	
January	71,527 32
February	65,000 63

EXHIBIT 9b.

Agreement of Vancouver Coal Company with employees.

Memorandum of agreement entered into between the New Vancouver Coal Mining and Land Company, Limited, and the Miners and Mine Labourers' Protective Association of Vancouver Island, this 24th day of July, 1891.

1st. The company agrees to employ miners and mine labourers only who are already members of the Miners and Mine Labourers' Protective Association, or who, within a reasonable period after employment, become members of the association.

2nd. The company agrees to dismiss no employee who is a member of the association without reasonable cause.

3rd. The association agree that under no consideration will they stop work by strike without exhausting all other means of conciliation available.

4th. The association agree that they will not interfere with the company in employing or discharging employees.

5th. The association shall comprise all men employed underground, excepting officials and engine drivers, and above ground all day labourers, not officials, engine drivers or mechanics.

6th. This agreement can be terminated by 30 days' notice on either side.

For the New Vancouver Coal Mining and Land Company, Limited,

(Signed) SAMUEL M. ROBINS,
Superintendent.

For the Miners and Mine Labourers' Protective Association of Vancouver Island,

(Signed) TULLY BOYCE,
JOHN HUMPHRIES,
ROBERT B. LAMB,
JNO. HORROBIN,
PETER BAINES.
} *Committee.*

EXHIBIT 10.

Proposed Agreement entered into between the Western Fuel Company and Nanaimo Miners' Union No. 177, Western Federation of Miners.

1. The company agree to employ miners and mine labourers only who are already members of the Miners' Union No. 177, W.F.M., or who within a reasonable period become members of the same.

2. The company agree to dismiss no employee who is a member of the union without a reasonable cause.

3. The union agree that under no consideration will they stop work by strike without exhausting all other means of conciliation available. Neither to demand an advance of prices, or change of other recognized conditions, by striking, without first giving a notice of thirty days to the company.

And the company agree to give thirty days' notice before demanding a reduction of prices, or change of other recognized existing conditions.

4. The union agree that they will not interfere with the company in employing or discharging men without some reasonable cause.

5. The union shall comprise all men employed in and around the mines excepting officials only.

6. The company agree that in all deficient work, made deficient by following causes, low coal, bodies of rock, or dirt, whether measurable or not, or for any other such cause, to pay not less than three dollars per day per man, so long as such deficiency exists.

7. The company agree to pay for stringers in the pillar and solid work alike.

8. The company agree to allow pay for the removal of timbers, placing of timbers, or removal of rock in the breaking away of new places. Such pay to be agreed upon by the pit boss and the men affected, and if unable to agree, then the management and the executive committee of the union.

9. The company agree to allow some consideration of pay for dirt in contract places, and where the digger is by such cause hindered making what he otherwise could make, or an average wage under average conditions.

Handed to Mr. Russell by the committee at meeting, Friday, 27th February, 1903.

EXHIBIT 11.

Proposition from Mr. Dunsmuir to Miners re Settlement.

It is hereby mutually agreed by and between the 'Wellington Colliery Company, Limited,' (hereinafter referred to as the 'Company,' and (hereinafter referred to as the 'Miner') in consideration of the promise and agreement by the other of them herein containd, as follows :—

1. The miner agrees to work continuously and exclusively for the company as a coal miner in their coal mines at or near Extension, British Columbia, for the period of years from the day of the date hereof in a workmanlike and proper manner for the remuneration and upon the terms of this agreement. (Provided that the company shall not be bound to find work for the said miner in case of fire, explosion or trouble in the said mine, or lack of market.)

2. The wages or remuneration to be paid by the company to the miner for the said work shall be three dollars per day for eight hours working day, to be paid weekly.

3. The company shall supply the miner with a helper, and with all things necessary for his working, except miners' machines.

EXHIBIT 11A.

It is hereby mutually agreed by and between the 'Wellington Colliery Company, Limited,' (hereinafter referred to as the 'Company'), and (hereinafter referred to as the 'miner'), in consideration of the promise and agreement by the other of them herein contained, as follows:—

1. The miner agrees to work continuously and exclusively for the company as a coal miner in their coal mines at or near Extension, for the period of years from the day of the date hereof, in a workmanlike and proper manner and in accordance with the usual practice in the mine, for the remuneration and upon the terms of this agreement. (Provided that the company shall not be bound to find work for the said miner in case of fire, explosion or trouble in the said mine, or lack of market.)

2. The wages or remuneration to be paid by the company to the miner for said work shall be seventy-five cents for each and twenty-five hundredweight of coal mined and loaded in miners' boxes by the miner in the said mines. Provided that in all deficient places the price to be paid by the company to the miner for yardage shall be such as shall be agreed upon by the company's manager, the overman, and the miner, and provided also that the price to be paid by the company to the miner for narrow work, and for taking out pillar coal shall be such as shall be agreed upon between the said manager, overman and miner.

The said wages or remuneration to be paid monthly.

3. The miner shall employ in his said work at least one helper, and in case of taking out pillar coal, such further number of helpers as will enable him to take the same out as speedily as possible.

The company shall supply to the miner if and for so long as he performs the agreement on his part herein contained, one ton of coal per month for his own domestic consumption at the price of two dollars per ton at the bunker.

EXHIBIT 12.

Statement of vote on affiliation with W.F.M.

Ballot taken in Union Hall or 'Free Press' Hall, November 1, 1902.

For affiliation	128
Against	59
Total votes cast	187

T. J. SHENTON, *Secretary.*
WILLIAM NEAVE.

Notice was given of two weeks duration. Said notice was posted at mine head.

EXHIBIT 13.

Statement of Cumberland Miners re Cause of Strike.

CUMBERLAND, B.C., March 27, 1903.

Secretary of the Royal Commission.

DEAR SIR,—I beg to submit the following reasons why we went out on strike. I now send you a copy of the resolution passed by a mass-meeting held on May 2.

Resolution.—Whereas we formed a branch of the W. F. of Miners on Sunday April 5, 1903, named the Cumberland Miners' Uuion, No 156 of the W. F. of Miners, and whereas since organizing some of our officers and most active members have one after another been denied the privilege to work in the mines of the Wellington C. Co., Cumberland. Therefore be it resolved that we the officers and members of the C.M. Union No. 156 of the W.F. of Miners in mass-meeting assembled do declare to proceed at once to take a ballot on whether or not we stop work until such times as the officials and members who have been discriminated against by the Wellington C. Co., are reinstated in their proper order with full recognition of the W.F. of Miners.

I may say, as you are probably aware, that the result of the ballot was almost unanimous, there only being 12 dissentient votes.

I have the honour to be,
Your obedient servant,
GEORGE M. RICHARDS,
Sec'y. C.M. Union.

EXHIBIT 14.

Copy of telegram from President of Western Federation of Miners to J. J. Baker.

Check 28 DENVER, COLO., April 22, 1903.

To J. J. BAKER,
Nanaimo.

We approve of calling out any or all men necessary to win at Ladysmith. Organize Japanese and Chinamen, if possible.

CHAS. MOYER,
President, W.F.M.

WM. D. HAYWOOD,
Secretary Treas.

EXHIBIT 15.

Western Federation of Mines.

Letters to Cumberland Union from various parties.

NANAIMO, B. C., May 11, 1903.

To the Executive Boards of the Miners' Unions
at Ladysmith, Nanaimo and Cumberland.

DEAR SIRS AND BROTHERS,—Owing to the fact that the vast amount of business I have in hand at the present time, in connection with our organization makes it necessary for me to absent myself from this locality for the present, it is with feelings of regret that I find this step necessary, but in doing so I feel that you will understand that you will not be deserted or neglected by our organization, and that either I or some one representing the organization will be with you in the near future. While regret to absent myself from here in the present emergency, yet I feel that our case is in good hands here, as I have the utmost confidence in the integrity, honesty of purpose, and ability to cope with the present difficulties, of our members on Vancouver Island, and in leaving you at this time I beg to offer the following counsel :—

I recommend that the Executive boards of the three unions as speedily as possible, form a co-operative arrangement so that you may be as closely in touch with each other as possible, and you will then at all times be in a better position to cope with the difficulties that confront us here, arrange some system that will enable you to speedily communicate with each other at all times, this, to my mind, is very necessary as we cannot afford to throw away any chance that will have a tendency to assist us in this struggle. This is a common cause amongst us and let us each say to himself this fight is mine and I am going to do all in my power to win it. The above recommendation is, in my opinion, the proper step at this time as it will enable us to better get the true benefits of our unity and co-operation. Above all things avoid jealousy and everything that savours of internal discord.

I am sending this letter to each of the three unions above mentioned and trust the same will meet with your approval.

Until you hear from me again, any communication will reach me at 625 Mining Exchange Building, Denver, Colorado.

Yours fraternally,

J. A. BAKER,
Member Executive Board, W.F.M.

EXHIBIT 15b.

ON BOARD STEAMER, May 12, 1903.

MR. GEORGE M. RICHARDS,
Secretary, Miners' Union,
Cumberland, B.C.

DEAR SIR AND BROTHER,—It was fully my intention to again visit Cumberland before going east, but owing to the fact of that Royal Commission sitting at Ladysmith, I felt that I did not dare neglect that, for the following reasons : While I have not the slightest hope that they will do us any good, and from what I could see of them I am of the opinion that such was not their intention from the beginning. But there is one point they are after 'public opinion,' and they are going to advertise the situation to the public, and for that reason I felt it to be my duty to see that we were not placed in a false light. I found the conditions to be this, that instead of this being a thorough and complete investigation into difficulties (past and present).

that the fact was, the Western Federation was on trial for their right to exist. They had me on the stand six and a half hours altogether, and I don't think they scored a point ; and one result of their work has been to unite the men of Ladysmith more firmly together than ever, for the reason that the true position we are in and how we are regarded by the powers that be was disclosed to them more plainly than they had ever seen it before. They informed me it was their intention to visit Cumberland ; so, in my opinion, you had best be prepared to meet the issue, as they have power to summon witnesses and force testimony the same as any court.

I would have went up there after I got through if I had any time at my disposal at all, but I am expected to be in Denver on the 18th to meet with the Ex. Board, and I have to go home to get some statistics for my report, then I have to go to Fernie and investigate their late adjustment, and then go to Frank and see how those people are situated after that disaster and what may be necessary for us to do for them ; so you can see how I am situated, and I have more important work to bring before the board and the convention I think than any other member of the board. It was owing to the circumstances above mentioned that I did not go to Cumberland as I wired you I would do, but got Bro. Shenton to go instead. I considered this necessary, for the reason that all those men were too new in the organization to be well enough posted to defend it against the bombardment they were preparing for us. I trust your union will appreciate the circumstances under which I was placed, and realize that there was no desire on my part to neglect you, and as soon as it is possible to get back from this work either I or some representative of the organization will be with you. In the meantime do not, if possible to prevent it, allow anything to bring discord into your ranks. The cases of necessity will have to be attended to. In order to do this, I request that without delay you elect or appoint a relief committee to look into the condition and necessities of our members with the view of relieving their necessities, and at the same time protect the organization from any imposition. Another necessary provision will be for your treasurer (or if not convenient for him, then some person to act as treasurer in this present emergency) to file a proper bond with the Ex. Board of the W.F.M., in compliance with sec. 1, art. 1, of the by-laws. Your executive can attend to getting this bond arranged, and I think it will be satisfactory to us.

Also write the Sec'y of the W.F.M. at Denver and give him full and complete details of your situation, when you need assistance, and your estimated amounts, &c. Don't neglect any of those details and thereby endanger the situation by allowing your members to acquire the fear that they are not going to get all the necessary support that the organization can extend to them, and thereby cause a division in the ranks. In my opinion, we have simply got to win this fight, and I don't want to see any stone left unturned to accomplish that end. I have recommended a unity of action between the three unions on the Island, and feel sure this step is advisable, yet I don't want to take the position of a dictator, but feel convinced you will agree with me in this matter.

With best wishes to yourself and the members of your Union,

I remain, yours fraternally,

J. A. BAKER.

Address me at 625 Mining Exchange Building, Denver, Colorado.

EXHIBIT 15c.

WESTERN FEDERATION OF MINERS.

DENVER, COLORADO, May 13, 1903.

MR. GEORGE M. RICHARDS,
Secretary Miners' Union No. 156, W.F.M.,
Cumberland, B.C.,

DEAR SIR AND BROTHER,—Your letter of May 7, with money orders for $180 in payment of per capita stamps is received. Enclosed, please find receipt. I am sending the stamps to you by registered mail to-day.

I have been advised by executive board member Baker that the members of Cumberland No. 156 were on strike. I am satisfied that you will have almost insurmountable obstacles to confront, but the right of men to organize for mutual interest and protection cannot be denied. I am glad to learn that you intend to protect yourselves where capitalistic tyranny prevails in that locality.

The action that you have taken in reference to engineers and mechanics is good, and the best that you could do under the circumstances, but in our opinion every pressure should be brought to bear to bring into the miners' union every man who is employed in and around the mine in whatever capacity. This is as provided for in section 1, article 1, of our constitution, and we find it is decidedly better to have all men in the organization than to be called upon to lay matters before them in some other union.

I note that you state there are some needy ones that will require assistance soon, and in reply to this, will say, that I telegraphed to brother Baker requesting him to reply to me what funds would be required at Ladysmith and Cumberland. I have just received a lengthy communication from brother Baker, a partial report of the Royal Commission. It seems that the Western Federation of Miners is on trial in Canada, but we have no fear of the results, as our loyal members will keep the banner of their unions flying wherever they have been established.

I would ask that you keep us acquainted with the situation and advise us of any new developments. Say to your members, one and all, they have the earnest and hearty support of the executive officers of the Western Federation of Miners, and we will aid you in every way possible to bring the controversy on the Island to a speedy and successful termination. With best wishes to you all, I remain,

Yours fraternally,

WM. D. HAYWOOD,
Secretary-Treasurer.

EXHIBIT 15d.

WESTERN FEDERATION OF MINERS,

DENVER, COLORADO, April 14, 1903.

MR. GEORGE W. RICHARDS,
Secretary Miners' Union No. 156, W.F.M.,
Cumberland, B. C.

DEAR SIR AND BROTHER,—I am just in receipt of a letter from brother J. A. Baker, with money order for $42.50 and application for charter for Cumberland Miners' Union. Enclosed, please find receipt for the amount. I am sending you 100 application blanks, 100 withdrawal cards, and one warrant book, by mail to-day, the other supplies having been given you by brother Baker, with the exception of stamps. These are the same as the payment of per capita tax and are at the same rate,

six for $1, remittance to accompany order. It is well in buying stamps to purchase a sufficient amount to supply your members for one quarter, also any new ones coming in. If you run short, however, they can be purchased at any time. I will send your charter as soon as I can have it engrossed and am ordering the seal made this afternoon. I am also sending a few samples of the *Miner's Magazine*, the official organ of the Western Federation of Miners, which contains the directory of all local unions affiliated with us.

Do not be backward about writing me for any supplies or information that we can furnish, as your letters will always be answered promptly, and with pleasure.

Wishing you the best of success, I remain,

Yours fraternally,

WM. D. HAYWOOOD,
Secretary-Treasurer.

EXHIBIT 15e.

ENTERPRISE MINERS' UNION, No. 181, W.F.M.,
LADYSMITH, April 13, 1903.

GEORGE M. RICHARDS,
Secretary Cumberland Union.

DEAR SIR AND BROTHER,—I am instructed by the members of Enterprise Miners' Union to convey to you and your union our hearty congratulations on your entry into the W. F. M. as an organized body of men. We feel you have strengthened our hands considerable by your doing so. I am sending you a copy of the 'Miners' Magazine,' at the request of Mr. Baker. Wishing you and your union the greatest success and prosperity,

I remain, yours fraternally,

SAMUEL K. MOTTISHAW,
Secretary Enterprise Miners' Union, 181.

P. O. Box 295.

EXHIBIT 15f.

TEXADA MINERS' UNION, No. 113, W.F.M.,
VAN ANDA, B.C., April 15, 1903.

Mr. GEO. M. RICHARDS,
Secretary, Miners' Union,
Cumberland.

DEAR SIR AND BROTHER,—On behalf of the Texada Miners' Union, No. 113, I take pleasure in forwarding congratulations. It takes courage to organize in face of such stern opposition as you have to deal with. May your union prosper and may we all, working together, bring about conditions soon that will overthrow the power of capitalistic anarchists of the Baer, McNeill and Dunsmuir type.

Bro. J. A. Baker has asked me to send a copy of our local constitution and by-laws, which I send with this mail.

With best wishes,

I am, your fraternally,

JOHN P. LAWSON,
Secretary Texada Union.

EXHIBIT 15g.

NANAIMO MINERS' UNION, No. 177, W.F.M.

Recording Secretary, NANAIMO, B.C., April 20, 1903.
Cumberland Miners' Union, W.F.M.

DEAR SIR,—A committee from Ladysmith Union attended our meeting of the 18th inst. From the statement of affairs detailed by the committee as existing in Ladysmith, it is evident that some method will have to be adopted to relieve any cases of pressing want. This, we might assume, is the function of the executive board of Western Federation. Owing to the fact that full board will have to meet in Denver one month from now, the Federation is seeking to avoid the expense of calling executive board together before that date. The Federation can only order levy after authority has been received from the executive board. If we could assume responsibility of the situation until that time, any levy ordered for some trouble later will not apply to us.

We are calling a meeting for next Saturday afternoon to go into the whole matter, and it was the opinion of the meeting that we endeavour to get one or more representatives of your union to attend, so that united action could be taken by Nanaimo and Cumberland. If you find it at all possible, please send some one or more down.

I am, pours fraternally,
PARKER WILLIAMS,
Recording Secretary, Nanaimo Miners' Union, 177, W.F.M.

EXHIBIT 15h.

NANAIMO MINERS' UNION, No. 177, W.F.M.,

GEO. M. RICHARDS, NANAIMO, B.C., May 16, 1903.
Secretary, Cumberland Miners' Union,

DEAR SIR AND BROTHER,—Your letter and remitted postal order of the 12th inst. to hand, and in reply I desire to say that I am pleased to realize that the brethren at Cumberland are making so valiant a stand. As to ourselves at Nanaimo, well things are in fairly good shape, except the serious accident of a brother killed by the explosion of some dynamite and the burning of three others. Ladysmith brethren are all right as far as I know, and intend to see the fight through to a finish if the necessary support is given by the Federation. The Ladysmith brethren are doing all in their power to give the most effective evidence to the Commissioners, and, as stated by myself when at Cumberland, the fight before that Commission is waged in an attempt by Mr. Bodwell to bring into disrepute the W. F. M. I gave a full and encouraging report of matters with you and he was very pleased, and to me he stated that he was more than pleased that he had decided to attend that Commission, for the fight, as stated, was the W.F.M. *versus* the employers. He also stated that if proper recommendation was made by the unions here to the executive of the W.F.M. for assistance in the charges of employing counsel, that they would help. Our delegate was instructed to bring this matter to the attention of the executive at Denver and ask for aid. I am inclosing a copy of Act *re* Chinese and referring to our co-operation as executives, the thought is a good one. I take it to mean that in all matters relating to the general good of all three locals, we must keep each other posted and that whenever necessary for the three boards to deal with any matter conjointly that we should arrange a time and meet to deal with any such matter, and I can assure you that so far as Nanaimo is concerned, this will be strictly followed. If you are sending a delegate to the convention, please ask him to aid the delegate of Ladysmith and Nanaimo to make the petition effective for getting assistance for counsel on Commission. Yours truly,

T. J. SHENTON,
Secretary.

EXHIBIT 16.

File of telegrams, thirteen in number, having reference to strike, sent by officers of Cumberland Union from or received at Cumberland telegraph office during the months of April and May, 1903.

EXHIBIT 17.

Abstract of Wages paid at Cumberland.

EXHIBIT 17a.

WAGES—No. 4 SLOPE, MARCH, 1903.

1. Kirkwood & Crozette	$ 3 55	30. Holden & Swanson	$ 3 85
2. Harwood & Ripley	3 72	31. Hutton & Coe	3 83
3. Horbury & Son	4 05	32. Heywood & Guthrie	3 60
4. Johnson & Vass	3 24	33. Halliday & Williamson	3 90
5. Tobacco Bros	3 45	35. Ead & Vass	3 85
6. Potter & Francolin	3 20	36. Watson Bros	3 80
7. Bardisona Bros	4 42	38. Cook & Horbury	3 70
8. Reese & Stevens	6 70	39. Ashman & Wilson	4 10
9. Gibson Bros	4 10	40. McIntyre & Parks	3 85
10. Roy & Harbury	4 80	41. Wain & Hunden	4 55
11. Tobacco & Tauz	3 25	42. Haddow & Keenan	4 70
12. Hennessey & Edmondson	4 55	43. Stewart & McAllister	5 95
13. Anderson & Walker	5 72	44. Richards & Thomson	3 65
14. Bennie & Son	4 40	45. Potter Bros	5 35
15. Harwood & Nicholson	3 76	46. Michele & Thomson	3 80
16. White & Gray	4 40	47. Maxwell & Somerville	5 10
17. Robertson & Whyte	4 65	48. McLellan & Stewart	6 10
18. Pearse & Collishaw	4 97	49. Hutchinson Bros	3 90
19. Fairbow & Whitefield	3 57	50. Richards & McNeil	4 20
20. Coe & Son	5 00	51. Jaynes & Anthony	4 05
21. Pollock & McNeil (19-year boy)	2 60	52. Lefley & Gray	4 10
22. Gillis & McNiven	3 95	53. McGregor & Crossan	3 65
23. Bona & Bertholdi	3 28	54. Balayno & Allari	3 45
24. Ducca & Perroni	2 65	55. Ross & Dodds	3 20
25. Farmer & Son	3 70	56. Ruava & Corra	3 70
26. McStephen & Co	3 35	57. McKenzie & Bickle	3 60
27. Balagono & Lippiatt	3 78	58. Caraboose & Francolia	3 95
28. Stant & Son	3 78	59. Barber & Stauss	3 85
29. Bauer & Mackie	4 34	60. Read & Stevenson	4 30

Average wages per man each day for about 7½ hours' work, $4.13.

NO. 4 SLOPE, APRIL, 1903.

1. Kirkwood & Crozette	$ 3 05	15. Harwood & Nicholson	
2. Harwood & Ripley	2 97	16. White & Gray	
3. Horbury & Son	4 02	17. Robertson & Bickle	
4. Johnson & Vass	3 07	18. Pearse & Baird (Baird only)	$ 5 13
5. Tobacco & Bro	2 92	19. Fairbow & Lawrence	4 05
6. Potter & Francolia	3 10	20. Coe & Son	
7. Bardisona & Bro	4 30	21. Pollock & McNeil	
8. Reese & Stevens	4 65	23. Bona & Bertholdi	
9. Monnaco & Gibson		24. Ducca & Perroni	
10. Godfrey & Edwards	3 35	25. Farmer & Son	
11. Tobacco & Tauz	3 92	26. McStephen & McNamara	3 65
12. Hennessey & Edmondson	3 18	27. Belzano & Lippiatt	
13. Anderson & Walker	4 12	28. Stant & Son	58
14. Bennie & Son	3 95	29. Bauer & Mackie	

No. 4 Slope, April, 1903—*Concluded.*

30.	Holden and Swanson	$ 3 05	46.	Michele & Thomson	
31.	Hutton & Coe		47.	Maxwell & Somerville	$ 4 13
32.	Heywood & Guthrie		48.	McLellan & Stewart	3 30
33.	Halliday & Williamson	3 10	49.	Hutchinson Bros.	
34.	Williamson & McNiven	4 55	50.	Richards & McNeil	
35.	Ead & Gillis	3 73	51.	Jaynes & Anthony	4 05
36.	Watson Bros.	3 00	52.	Lefly & Gray	
38.	Cook & Horbury		53.	McGregor & Crossan	
39.	Ashman & Wilson	3 50	54.	Benino & Allari	
40.	McIntyre & Parks	5 00	55.	Ross & Dodds	
41.	Wain & Hunden	3 08	56.	Ruava & Corra	
42.	Haddow & Keenan	3 80	57.	Not working	
43.	Stewart & McAllister		58.	Caraboose & Francolia	
44.	Richardson & Thomson	4 75	59.	Barber & Stauss	4 22
45.	Potter Bros.		60.	Read & Stevenson	

EXHIBIT 17b.

Summary of Wages.

Fire bosses, $3.25 per day, 8 hours shift.
Shot lighters, $3.25 per day, 8 hours shift.
Timbering, $3 per day, 8 hours shift.
Engine drivers, $3.20 per day, 9 hours shift.
Hoisting engineers, $4 per day, 12 hours shift.
Drivers, $2.50 per day, 8 hours shift.
Machinists, $3.50 to $3 per day, 9 hours shift.
Carpenters, $3.50 to $3 per day, 9 hours shift.
Blacksmiths, $3 per day, 9 hours shift.
All white men are paid from $2.50 to $4 per day for labour from 8 to 12 hours.
Chinese and Japanese receive for work of 8 hours from $1.25 to $1.50 per day.
Chinese and Japanese miners receive same price per ton as white miners, viz., 75c., and no discrimination is made.

April, 1903.

1.	Strang & Co.	$ 3 20	28	Howell & Co.	$ 4 03
2.	Columbo & Co.	2 41	30.	Morris & Co.	3 80
3.	Gerra & Co.	3 30	31.	Stahge & Co.	2 72
4.	Webber & Co.	4 05	37.	Berglund & Co.	3 40
8.	Stewart & Co.	4 10	38.	Delaney & Co.	2 60
12.	Berglund & Co.	3 70	40.	Freeburn & Co.	2 95
13.	Henderson & Co.	3 30	41.	Morris & Co.	3 30
15.	Hanna & Co.	3 80	42.	Nord & Co.	3 00
18.	Marinella & Co.	3 30	45.	Nelson & Co.	4 40
23.	Renaldi & Co.	3 00	47.	Kubryhet & Co.	2 40
24.	Anderson & Co.	3 10	53.	Brown & Co.	6 20
27.	Manicor & Co.	3 08	54.	Pluto & Co.	3 62

Average wages for No. 5 shaft, $3.45.

No. 6 Shaft, April, 1903.

		Per Day.			Per Day.
12.	Dirkes & Co.	$ 4 03	26	Maxwell & Co.	$ 4 15
14.	Farinoni & Co.	3 27	27.	Webster & Co.	4 50
23.	Casella & Co.	4 20	30.	Picetto & Co.	3 55
25	Bumaby & Co.	3 20	32	McLean & Co.	3 15

Average, $3.76 per day.

EXHIBIT 17c.

No. 4 Slope, February, 1903.

	Per Day.		Per Day.
1. Kirkwood & Co.	about...$ 3 75	33. Robertson & Co.	about ..$ 4 30
2. Harwood & Co.	" .. 4 00	34. McNevin & Co.	" .. 4 40
3. Horbury & Co.	" .. 4 20	35. Ead & Co.	" .. 4 75
4. Johnson & Co.	" .. 3 35	36. Watson Bros.	" .. 3 45
5. Tobacco & Co.	" .. 3 80	37. Horbury & Co.	" .. 3 85
6. Potter & Co.	" .. 3 55	38. Cook & Co.	" .. 3 10
7. Bardisona & Co.	" .. 4 00	39. Ashman & Co.	" .. 3 55
8. Reese & Co.	" .. 4 20	40. McIntyre & Co.	" .. 3 30
9. Gibson Bros.	" .. 3 60	41. Wain & Co.	" .. 4 90
10. Collishaw & Co.	4 70	42. Haddow & Co.	" .. 3 20
11. Tobacco & Co.	about... 3 85	43. Stewart & Co.	" .. 5 30
12. Hennessey & Co.	" .. 3 75	(10 tons per shift.)	
13. Anderson & Co.	" .. 4 35	44. Richards & Co.	" .. 3 10
14. Bennie & Son	" .. 5 15	45. Potter Bros.	" .. 3 00
15. Harwood & Co.	" .. 3 55	(Yardage.)	
16. Gray & Co.	" .. 5 20	46. Michelle & Co.	" .. 3 20
17. Robertson & Co.	" .. 5 85	47. Maxwell & Co.	" .. 5 15
18. Hodson & Co.	" .. 5 25	48. McLellan & Co.	" .. 5 35
19. Fairbow & Co.	" .. 3 90	49. Hutchison Bros.	" .. 4 30
20. Coe & Son	" .. 4 15	50. Richardson & Co.	" .. 3 60
21. Pollock & Co.	" .. 3 30	51. Janes & Co.	" .. 4 25
22. Gillis & Co.	" .. 4 15	(Yardage.)	
23. Bona & Co.	" .. 3 00	52. Lefley & Co.	" .. 4 55
24. Ducca & Co.	" .. 3 10	53. McGregor & Co.	" .. 4 05
25. Farmer & Son	" .. 4 20	54. Balagno.	" .. 4 10
26. Idle.		55. Ross & Co.	" .. 2 95
27. Balzano & Co.	about... 3 90	56. Ruava & Co.	" .. 3 10
28. Stant & Son.	" .. 4 25	57. McKenzie & Co. (Couldn't make up).	
29. Bauer & Co.	" .. 4 10		
30. Smith & Co.	" .. 4 65	58. Caraboose & Co.	about... 3 40
31. Hutton & Co	" .. 4 10	59. Barber & Co.	" .. 4 05
32. Heywood & Co.	" .. 3 75	60. Read & Co.	" .. 4 65

EXHIBIT 18.

Telegrams sent to and by Wellington Colliery Company at Cumberland during April and May, 1903, (46 in number), mostly in cipher. (Produced on examination of John Matthews, manager of company at Cumberland.)

EXHIBIT 19.

Telegrams (15 in number) sent or received by telegraph operators at Ladysmith, B. C., during the months of April and May, 1903, having any reference to strike.

EXHIBIT 20.

Copies of telegrams (29 in number), produced by telegraph operator at Nanaimo.

EXHIBIT 21a.

Statement of case of U. B. R. E. *re* strike.

EXHIBIT 21.

In the matter of the Royal Commission to inquire into Labour Disputes in British Columbia.

STATEMENT OF CASE OF UNITED BROTHERHOOD OF RAILWAY EMPLOYEES.

1. The United Brotherhood of Railway Employees is a fraternal as well as an industrial union, and has the following for its objects :—

(a.) To bring all classes of actual railway employees in closer contact with each other, for their mutual benefit and improvement, and to establish among them a fraternal society of the rail, binding all together for the purposes of friendship and mutual advancement, and to create among them more tolerance of the opinions, rights, duties, privileges and importance of each other in the world's transportation system, the accomplishment of which cannot fail to result in generally improved conditions for every railway employee.

(b.) To encourage its membership, by every legitimate means, to attain a higher standard of morality, especially as regards gambling, the use of intoxicating beverages of every character and all vicious habits.

(c.) To urge its members to greater efforts in better fitting themselves for the situations they occupy in their several departments of railway labour, and in preparing themselves for advancement to higher and more responsible positions, that they may reach the highest planes possible in their special lines of endeavour.

(d.) To assist its membership in sickness or distress, and to aid and comfort the families of members removed by death.

(e.) To prepare and publish a weekly journal for the full discussion of all technical and other questions pertaining to railway labour in its several branches, as an educational medium through which the membership may absorb special and general knowledge of railway matters, and of questions pertaining to the operations of this Brotherhood.

(f.) To provide a perfect and systematic insurance department, open to all railway employees, who are members of this Brotherhood, and who pass the physical examination prescribed by the Brotherhood, and their insurance against accidents and death, and to administer the same economically, expeditiously, and in accordance with the majority participating therein.

(g.) To promote, by every legitimate means in its power, favourable municipal, state and national legislation to railway employees, and while not opposing wholesome regulations of railways by law, to resist unjust, antirailway legislation tending to cripple the transportation systems served by its membership, which may be retailed injuriously to railway employees.

(h.) To limit, in a reasonable and conservative manner, by precept, practice, organization mandates, municipal, state and national regulations, the supply of skilled railway operatives, in every branch of the service, for the purpose of alleviating the privations and sufferings which bear heavily on unemployed railway wage-earners, the dependent members of their families and indirectly upon all engaged in transportation service, through the unnecessary overproduction of railway employees.

(i.) To protect, by every legitimate means at its demand, the interests of its members, under all conditions that may arise coming within the province of this Brotherhood.

2. The said Brotherhood is international in its organization.

3. At the time of the organization of the local division of the said Brotherhood in Vancouver on the 24th of June, 1902, the Brotherhood comprised a total membership of 25,000, of which there were approximately 300 in Winnipeg, Manitoba.

4. The organization is planned after the scheme of the following industrial unions: the Amalgamated Society of Engineers, having a membership of about 100,000, the Amalgamated Society of Railway Servants of England, Ireland, Scotland and Wales, having about 65,000 members, and the United Mine Workers of the Eastern States, comprising about 147,000 men.

5. The local organization is composed exclusively of employees of the Canadian Pacific Railway and the membership in Vancouver totals about 213.

6. On or about July 1, 1902, the local freight office employees, about 25 in number, all members of the said Brotherhood, requested improvements in their conditions of employment and increases in the rates of their remuneration. The initial demand was for an advanace of 20 per cent. Committees waited on Mr. R. Marpole, general superintendent, and ultimately succeeded in obtaining an approximate increase of 13 per cent, although not evenly distributed. The wages, therefore, received by these freight office employees had for a minimum, thirty-five dollars per month, for men's wages. The increase of 13 per cent was accepted on the assurance of Mr. R. Marpole that the arrangement was agreeable to him.

7. The local organization thereafter employed one of their number, Mr. H. V. Poore, as organizer for British Columbia, and membership for the local organization was secured along the line of the Canadian Pacific Railway in British Columbia.

8. In January, 1903, Mr. Marpole, general superintendent at Vancouver, suggested and advised that the United Brotherhood of Railway Employees should organize and present a wage schedule to the Canadian Pacific Railway, as other organizations had done, and immediately thereon, Mr. H. V. Poore was appointed general organizer for Canada and left for Vancouver, proceeding to Revelstoke, Nelson, and via Crow's Nest Pass line to Calgary and Winnipeg.

9. Contrary to expectations induced by this request of Mr. Marpole, Mr. Poore found that his progress from place to place was embarrassed by the presence of special detectives, who harassed his movements and by coercion, threats and promises attempted to prevent his obtaining members for the order.

10. About this date, Mr. Fred J. Halton, chief clerk in the accountant's office of the Canadian Pacific Railway at Vancouver, was discharged for alleged breach of discipline. The United Brotherhood of Railway Employees unanimously resolved to wait upon the general superintendent in regard to the dismissal of Mr. Halton and with the assistance and co-operation of the president of the organization, re-instatement was secured for Mr. Halton.

11. The Canadian Pacific Railway, therefore, on several occasions, discriminated against the members of the United Brotherhood of Railway Employees and particularly against the committee and officers of the Brotherhood, and, employees who were members of the said Brotherhood were frequently subjected to rigid examinations accompanied with threats and intimidatory suggestions.

12. A statement was made by the divisional superintendent, Mr. H. E. Beasley, to a member of the United Brotherhood of Railway Employees, that one million dollars would be spent by the Canadian Pacific Railway to kill the organization.

13. The Canadian Pacific Railway, on or about the 26th day of February, indefinitely suspended by Mr. H. P. Forrest, the past manager of the Brotherhood, on a charge of conspiring to defraud the company. The alleged misdemeanour consisted of the commission of an act of courtesy to one George Hamilton, such as is customary from railway employees, and similar acts have been recognized by general freight agents repeatedly. The act itself never having been considered a ground for dismissal or discipline.

14. The members of the United Brotherhood of Railway Employees thereafter held a meeting on account of the continued discrimination against their members and the dismissal of Mr. Forrest, and appointed a committee to call upon the general superintendent. This committee requested that the hostile policy that the company were pursuing should be discontinued, and in conjunction therewith that Mr. Forrest be reinstated.

15. The committee, acting for the United Brotherhood of Railway Employees, in this instance informed the general superintendent that they did not desire the reinstatement of Mr. Forrest if any breach of the rules and common usage of the company had been committed by him.

16. Matters having been gone into exhaustively by the committee and the general superintendent, the former were dismissed and positively told that the Canadian Pacific Railway would not listen to any request made by their organization.

17. The members of the said Brotherhood thereupon ceased to work for the Canadian Pacific Railway Company.

18. The members of the United Brotherhood of Railway Employees made no demand upon the Canadian Pacific Railway other than the right to belong to the organization of their choice without interference.

Delivered, pursuant to the order of the Commissioners, this second day of June, nineteen hundred and three, by

J. EDWARD BIRD,

Acting as Solicitor for the United Brotherhood of Railway Employees.

5*a*. On and prior to the 1st of June, 1903, and subsequent thereto, the conditions of employment with the C. P. R., particularly with relation to the clerks and clerical staff, were such as forced the said employees, and particularly the clerks and clerical staff, into the formation of a union for the purpose of securing protection, and for the purpose of relieving the abuses practised upon them by the Canadian Pacific Railway and the officers thereof, such as requiring them to work overtime without extra pay and requiring them to work as it was from 8.30 in the morning to 6 in the evening (without counting the overtime), at a rate of wage lower than that paid on any railway on the Pacific coast handling the same competitive busines, and by the improper imposition of fines.

EXHIBIT 21b.

In the matter of Royal Commission to hear and investigate labour disputes in British Columbia.

Particulars of Paragraph 5a, United Brotherhood of Railway Employees' case:—

1. Robert Chance—Clerk, C.P.R. Telegraph office. At the end of every month and on the 1st and 2nd days of each month has worked until midnight and 1.30 a.m. on monthly balances, and always every fifth Sunday. Has not been paid for overtime; married man with family and salary $40 per month.

2. James Dick—Chief clerk, claims department, C.P.R. From August, 1896, to February, 1903, worked several hours overtime during nine months in each year.

3. Reginald V. Parker—Clerk, local freight office, C.P.R., Vancouver. From January 1st, 1900, to July 1st, 1902, worked until 10 and 12 p.m. almost every night. From July 1st to February, 1903, worked four and five hours overtime about three nights per week.

4. Harry Wilson—From December, 1901, worked several hours per week overtime without extra pay.

5. J. E. Baker, Clerk, local freight office. From September, 1901, to February, 1903, worked almost every night, with the exception of Sunday night, until 10 or 11 p.m. Sometimes until 2 a.m., and almost every Sunday morning during that time.

6. Walter J. Thicke—Clerk, general freight office, C.P.R., Vancouver, commenced work for C.P.R. June, 1898, averaged about 2 hours per night. During 1903 to February 27th, worked on an average two nights per week from 8 p.m. until 10 or 11 p.m.

7. S. S. Hewitt—Clerk, superintendent's office, started to work December, 1902, worked two hours every Sunday morning until February 27th.

8. William R. Foulds—Commenced work for the C.P.R. December, 1892; about nine years of this time worked in the accounting department at Winnipeg and Vancouver, worked overtime in every month. The most overtime put in during 1902. Several months in 1902 worked every night from two to five hours overtime. Worked ten nights overtime during each month, also worked Sundays and public holidays. Have never received pay for overtime worked.

9. J. N. Kendall—Clerk, local freight office, C.P.R. Started work October, 1900; while acting as assistant day biller worked two to four nights overtime on the arrival of each steamer from the Orient, and also every fourth Sunday.

10. E. H. Fowler—Started to work monthly salary September 1st, 1898; worked 10 hours every Sunday night until time of discharge, also worked nights of holidays. Never received any remuneration for overtime worked.

11. Walter H. Browne—Entered service of company January 9th, 1889; worked overtime in all positions filled particularly when 'Transfer' clerk. Agent at that time informed Mr. Beasley, superintendent, that I was overworked; also worked overtime as assistant on billing desk.

12. W. J. Marshall—clerk, local freight office. Started work for company May, 1902. Worked overtime whilst billing and on customs desk almost every night from October, 1902, to February, 1903, several hours. Also worked Sundays when boats were in on that day. Never received extra pay for overtime worked.

13. James G. Robertson—Commenced to work for company September, 1900, general superintendant's office. Worked almost every Sunday. Transferred to accountant's office; worked much overtime while there. Transferred to paymaster's office and worked from 10 to 14 nights in every month from 7 to 12 p.m. Never received pay for overtime worked.

14. James A. Wood—Timekeeper, Revelstoke Stores, C.P.R. and mechanical department from December 26th to March 3rd. On December 31st, 1902, worked until 12 p.m., January 1st (New Year's Day) worked all day from 7 a.m. to 12 midnight, January 2nd, 3rd and 4th worked two hours' overtime each day. Worked every Sunday on an average about three hours. January 31st, 1903, worked until midnight. February 1st (Sunday) worked from 7 a.m. until 11 p.m. From February 2nd to February 27th worked on an average of from two to three hours' overtime. Never received any extra pay for overtime.

15. Percy G. Denison—Chief biller, local freight office, Vancouver. Commenced to work August, 1901, averaged about thirty hours per week overtime. This overtime was due to China and Australia boats. Never received extra pay for overtime. Have frequently worked twenty-eight hours without rest.

16. Fred. J. Winlow—Clerk, local freight office. Commenced working for company June 1, 1902. Worked some nights all night. Was never paid extra for overtime.

17. Stephen Garnham—Station baggageman, Vancouver. Commenced work May, 1902. Worked on many occasions until midnight. On nights of departure of boats to Skagway, worked until 11 p.m. Have also worked every Sunday and holiday during my service and have never received extra pay for same.

18. T. C. Holt—Clerk, local freight office. After commencing to manifest Skagway boats, worked from 14 to 18 hours per day. After steamers commenced to run on winter schedule worked some days twenty-two hours without receiving extra pay.

19. Harry Gage—From 1882 to 1900 worked 12 hours out of 24, and was required to be ready for duty at any time. Have been on duty sixty hours at one time.

20. Fred. J. Halton—Commenced working in accounting office, Winnipeg, as trainmen's timekeeper, July, 1899; worked from three to nine hours' overtime every night. from the 1st of the month to the 25th. During October, 1899, worked from 9 a.m. on the 17th to 10 a.m. on the 19th—49 hours, with intervals for meals, some of which were taken in office. Received $35 per month and had charge of all trainmen's rolls between Port Arthur and the Pacific coast, including branch lines. Worked all night on many occasions. Worked four or five hours every night in Vancouver from the 8th to the 25th of the month, and always on Sundays and holidays. Never received any extra pay for overtime.

The U.B.R.E. claim the right to furnish further particulars as the facts come to their knowledge.

Dated at Vancouver this sixth day of June, 1903.

J. EDWARD BIRD,
Solicitor for U.B.R.E.

EXHIBIT 22.

In the matter of a Royal Commission issued to the Hon. Gordon Hunter, Rev. E. S. Rowe and W. L. Mackenzie King, to inquire into mining and transportation difficulties in British Columbia.

STATEMENT OF CASE FOR THE CANADIAN PACIFIC RAILWAY COMPANY.

1. At the time of the making of the request referred to in paragraph 6 of the statement of case of the United Brotherhood of Railway Employees, none of the officials of the company in Vancouver were aware of the existence of such a body as the United Brotherhood of Railway Employees, and met the parties who made that request simply as a committee of the company's employees. The request for increased rates of wages was referred, by agreement between Mr. Marpole and the committee, to the consideration of Mr. Beasley, the company's superintendent at Vancouver, and Mr. F. W. Peters, the general freight agent at Vancouver, and the settlement mentioned was arrived at by them.

2. Mr. Marpole did not either suggest or advise in any way, shape or manner whatsoever that the United Brotherhood of Railway Employees should organize or present a wage schedule to the Canadian Pacific Railway Company, as set out in paragraph 8 of the said statement of case.

3. As to paragraph 9 of the said statement of case the company admit that they exercised a certain surveillance over the movements of Mr. Poore, as they were entitled to do, but they deny all the allegations of harassing the said Poore by coercion, threats or promises. The company requires particulars of the various acts of harassing, coercion, threats and promises referred to in said paragraph.

4. As to paragraph 10 of the said statement, the company say that the services of Mr. Halton were properly dispensed with by the company on account of a serious breach of discipline on his part, but the United Brotherhood of Railway Employees threatened an immediate strike without notice, and at a time when a strike would be fatal to the interests of the company and the public at large, with the result that Mr. Marpole was forced against his will to reinstate Mr. Halton in spite of his breach of discipline.

5. The company deny the allegations set out in paragraph 11 of the said statement, and ask for particulars of the same.

6. It is absolutely incorrect that Mr. Beasley made any such statement to any one as that set out in paragraph 12 of the said statement.

7. With reference to paragraphs 13, 14 and 15 of the said statement, the facts are that Mr. H. P. Forrest was charged with defrauding the company by means of the position which he occupied with the company, a charge which the company then believed and still believes to be well founded. Thereupon, in accordance with the well-recognized rules of the company, Mr. Forrest was suspended pending an investigation, at the end of which, if found blameless, he would in the ordinary course be reinstated and paid for all loss of time. Before, however, such investigation could take place, the committee acting for the United Brotherhood of Railway Employees insisted upon an immediate reinstatement of Mr. Forrest irrespective of any investigation. At the time in question Mr. Marpole promised the committee that an investigation would be held and the usual practice of the company complied with. The committee left Mr. Marpole's office with the understanding that they were to return in the afternoon for further discussion, but instead of returning, within twenty minutes after leaving the Brotherhood inaugurated the strike in question.

8. As to paragraph 18 of said statement, the company say that at the time of the strike and for long subsequent thereto the one principal demand made by the United Brotherhood of Railway Employees, and the one which they stated was vital to them and for which they would fight to the last, was recognition of their union by the company, and it is only within a very recent time that the said Brotherhood have reduced their demand to that set out in said paragraph 18.

9. At the time the strike was inaugurated, Mr. Marpole could not recognize the union for the following reasons :—

(*a.*) That as a local manager he could not deal with a union extending over the whole line which had not received recognition at Montreal ;

(*b.*) That no union in any event was entitled to recognition by the company until it could satisfy the company that it controlled two-thirds, or at any rate a majority, of the employees who were entitled to become members of such union, as otherwise the recognition of such a union would lead to interminable conflicts with other unions which were already established and recognized, and with which the company had contracts.

10. Since that time and during the progress of the strike facts have come to the knowledge of the company which justify the company in refusing not only to recognize the union, but also to allow any of its employees to belong to such union. The following are some of the reasons :—

(*a.*) The United Brotherhood of Railway Employees is an organization whose headquarters are situated in the United States, its executive officers are residents of a foreign country, and the organization is of such a character that it could be used by transportation companies of the United States as a means of hampering the trade of Canada and injuring, if not altogether destroying, the usefulness of the Canadian Pacific Railway Company as a public institution ;

(*b.*) It has recognized as a part of its policy the principles of revolutionary socialism ;

(*c.*) While the company favours the organization of unions among different classes of its employees, it objects to the organization of one union which will comprise all the different classes of employees who are entitled to become members of this union, on the ground that it is impossible to deal with them in a business-like way, and that such an association is impracticable and would lead to endless dissension among the employees themselves.

11. The company's objections to this organization are good, as shown by the fact that it has never been able to obtain recognition in any other part of the world, not even in the United States itself.

12. The constitution of the United Brotherhood of Railway Employees shows that it intends to carry its objects into effect by means of sympathetic strikes, and that the circumstances in connection with this strike show that it intends to use as a weapon, in case of trouble with employees, boycott and intimidation.

The company submit the above as a preliminary statement, and reserves to itself the right to amend or add to this statement from time to time as the investigation proceeds.

Delivered at Vancouver this 3rd day of June, A.D., 1903.

DAVIS, MARSHALL & MACNEILL,
Solicitors for the Canadian Pacific Railway Company.

EXHIBIT 23.

AFFIDAVIT OF DOCUMENTS BY C.P.R. *RE* U.B.R.E.

Dominion of Canada.
Province of British Columbia,
County of Vancouver, To Wit:

IN THE matter of a Royal Commission issued to the Hon. Gordon Hunter, Rev. E. S. Rowe and W. L. Mackenzie King to inquire into mining and transportation difficulties in British Columbia.

I, Richard Marpole, of the city of Vancouver, in the province of British Columbia, general superintendent of the Pacific Division of the Canadian Pacific Railway Company, do solemnly declare that:—

1. The Canadian Pacific Railway Company have in their possession or power the documents relating to the matters in question in this commission set forth in the first and second parts of the first schedule hereto.

2. The said Canadian Pacific Railway Company object to produce the said documents set forth in the second part of the said first schedule hereto.

3. According to the best of my knowledge, information and belief the Canadian Pacific Railway Company have not now and never had in their possession, custody or power, or in the possession, custody or power of their solicitors or agents, solicitor or agent, or in the possession, custody or power of any other person or persons on their behalf, any letter, memorandum, paper or writing, or any copy of or extracts from any such document or any other document whatsoever affecting the questions, the subject-matter of this Commission, or any of them, or wherein any entry has been made relative to such matters, or any of them other than and except the documents set forth in the said first and second parts of the said schedule hereto.

And I make this solemn declaration, conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the 'Canada Evidence Act, 1893.'

R. MARPOLE.

Declared before me at the city of Vancouver, in the province of British Columbia, this 3rd day of June, A.D. 1903.

E. V. BODWELL,
A Commissioner for taking affidavits within British Columbia.

SESSIONAL PAPER No. 36a

SCHEDULE REFERRED TO IN THE WITHIN DECLARATION.

First Part.—

1. Letter, H. E. Beasley to J. McCreery, June 23, 1902. 2. Letter, J. McCreery to W. Brett, June 23, 1902. 3. Freight Handlers' Schedule, Vancouver, May 31, 1902. 4. Letter, R. Marpole to W. R. Baker, Dec. 16, 1902. 5. Letter, Thos. Tait to R. Marpole, Dec. 15, 1902. 6. Memo. for R. Marpole, with loose sheets of 'Trade Register' *re* foodstuffs, Jan. 8, 1903. 7. Telegram, R. Marpole to D. McNicoll, March 17, 1903. 8. Telegram, D. McNicoll to R. Marpole, March 17, 1903. 9. Letter, J. W. Troup to R. Marpole, March 4, 1903. 10. Telegram, R. Marpole to D. McNicoll, March 16, 1903. 11. Letter, R. Marpole to D. McNicoll, Feby. 5, 1903. 12. Letter, R. Marpole to W. R. Foulds, Jany. 6, 1903. 13-14. Memo. of interview re strike, undated. 15. Copy letter secretary Board of Trade to S. Garnham, March 4, 1903. 16. Letter R. Bowman to R. Marpole, May 16, 1903. 17. Copy of above letter. 18. Letter, E. A. Haggen to R. Marpole, March 30, 1903. 19. Memorandum for Mr. Marpole, unsigned, May 11, 1903. 20. Extract from 'Railway Age,' April 17, 1903. 21. Extract from Kamloops 'Standard,' April 23, 1903. 22. Extract from Nanaimo 'Herald,' Dec. 6, 1902. 23. Newspaper extract *re* Amalgamated Society of Railway Servants. 24. Report No. 9, April 17, 1903. 25. Extract from Nelson 'Daily News,' April 5, 1903. 26. Copy 'Railway Employees Journal,' March 26, 1903. 27. Telegram, D. Robinson and Wm. Marshall to Jas. Outhett, April 11, 1903. 28. John McNeil to J H.. Watson, April 11, 1903. 29. Letter, Executive Committee of strikers to R. Marpole, April 9, 1903. 30. Letter, E. A. Haggen to R. Marpole, April 7, 1903. 31. Letter, Executive Committee of strikers to R. Marpole, April 9, 1903. 32. Copy letter in reply, April 10, 1903. 32. Copy letter striking Unions to E. A. Haggen, April 3, 1903. 33. Extract from Montreal 'Gazette,' April 6, 1903. 34. Letter 'T.H.M.' to Editor 'World,' April 3, 1903. 35. Memo. for General Supt., April 15, 1903. 36. Letter, R. Marpole to T. Kilpatrick, April 15, 1903. 37. Extract from 'Advance Advocate.' 38. Extract from Nelson 'Daily News,' April 4, 1903. 39. Letter, T. Kilpatrick to R. Marpole, April 7, 1903. 40. Resolution of Revelstoke Board of Trade, April 7, 1903. 41. Report of 'No. 17,' April 1, 1903. 42. Letter, C. H. Temple to R. Marpole, April 6, 1903. 43. Letter, D. G. Hobbs to C. H. Temple, April 3, 1903. 44. Extract from Victoria 'Colonist,' April 8, 1903. 45. Newspaer clipping, undated. 46. Extract 'News-Advertiser,' April 8, 1903. 47. Extract, Victoria 'Times,' April 6, 1903. 48. Newspaper cutting containing platform of Socialistic Party of B. C. 49. Correspondence from 'News-Advertiser,' April 8, 1903. 50. Extract from Victoria 'Times,' April 4, 1903. 51. Extract from 'Advertiser, April 8, 1903. 52. Extract from 'News-Advertiser,' April 3, 1903. 53. Extract from Winnipeg 'Tribune,' March 25, 1903. 54. Telegram, F. R. Johnson to B. W. Greer, April 5, 1903. 55. Copy letter, M. M. Stern to R. Marpole, March 19, 1903. 56. Newspaper clipping *re* Taff Vale case. 57. Copy letter committee of employees to R. Marpole, Feby. 26, 1903. 58. Extract fro 'Daily Colonist,' April 5, 1903. 59. Copy letter to Hon. Col. Prior from R. Marpole, March 16, 1903. 60. Letter, Hon. E. G. Prior to R. Marpole, March 16, 1903. 61. Memorandum of C. P. R. published in press. 62. Memorandum of newspaper interview with J. H. Watson. 63. Letter, R. Marpole to T. Kilpatrick, Feby. 27, 1903. 64. Memo. ,T. Kilpatrick to R. Marpole, Feby. 24, 1903. 65. Letter, T. Kilpatrick to R. Marpole, Feby. 25, 1903. 66. Leter, T. Kilpatrick to T. W. Bradshaw, Feby. 24, 1903. 67. Letter, T. Kilpatrick to agent, Revelstoke, Feby. 23, 1903. 68. Extract from letter of Estes, Dec. 18, 1903. 69. Letter, D. McNicoll to R. Marpole, March 13, 1903. 70. Telegram, D. McNicoll to R. Marpole, March 10, 1903. 71. Telegram, I. G. Ogden to R. Marpole, Feby. 23, 1903. 72. Telegram, R. Marpole to D. McNicoll, March 17, 1903. 73. Memo. of Mr. Marpole *re* strike. 74. Letter, C. H. Temple to R. Marpole, March 3, 1903. 75. Declaration of A. Purvis, March 4, 1903. 76. Draft of agreement for settlement, March 5, 1903. 77. Conditions of settlement signed by Strikers' Committee, March 7, 1903. 78. Newspaper clipping *re* Estes. 79. Clipping from 'Western Socialist,' Jany. 17,

1903. 80. Extract from Vancouver 'Province,' Feby. 9, 1903. 81. Extract from Vancouver 'World,' Feby. 4, 1903. 82. Extract from Vancouver 'Ledger,' Feby. 4, 1903. 83. Extract from Winnipeg 'Voice,' Feby. 13, 1903. 84. Letter, M. M. Stern to R. Marpole, Jany. 2, 1903. 85. Copy letter, R. Marpole to D. McNicoll, Jany. 26, 1903. 86. Letter, Employees of Stores Department to R. Bowman, Jany. 5, 1903. 87. Letter, Jas. Jones to R. Marpole, Jany. 31, 1903. 88. Shipping bill to Geo. Hamilton, Jany. 19, 1903. 89. Shipping Bill to Geo. Hamilton ,Jany. 20, 1903. 90. Way bill, Jany. 15, 1903. 91. Way bill, Jany. 9, 1903. 92. Shipping bill, Jany. 14, 1903. 93. Letter, G. Hamilton to agent Ashcroft, Jany. 7, 1903. 94. Shipping bill, Jany. 2, 1903. 95. Way bill, Jany. 9, 1903. 96. Letter, Jos. Guertin to R. Marpole, Jany. 24, 1903. 97. Freight way bill, Jany. 2, 1903. 98. Telegram, Ellesley to D'Arcy, Jany. 15, 1903. 99. Telegram, D'Arcy to Leslie, Jany. 15, 1903. 100. Telegram, Leslie to D'Arcy, Jany. 15, 1903. 101. Telegram, D'Arcy to agent Ashcroft, Jany. 14, 1903. 102. Shipping bill, Geo. Hamilton, Jany. 2, 1903. 103. List of ranking officers in lodge. 104. Letter, committee of employees to R. Marpole, Feby. 26, 1903. 105. Letter, committee to R. Marpole, Jany. 5, 1903. 106. Copy letter, R. Marpole to W. R. Foulds, Jany. 6, 1903. 107. Telegram to W. McLeod, signed 'B,' June 2, 1903. 108. List showing number of employees on strike. 109. List of employees, with table of salaries. 110. Letter, B. C. Steamshipmen's Society to J. W. Troup, March 4, 1903. 111. Telegram, Estes to E. B. Smith, March 16, 1903. 112. Circular signed by Geo. Estes, March 27, 1903. 113. Memo., R. Marpole to J. W. Troup, March 20, 1903. 114. Letter, Geo. Estes to R. Marpole, March 5, 1903. 115. Circular issued by U.B.R.E. at Nelson. 116. Circular issued by U.B.R.E. at Calgary. 117. Copy, 'Railway Employees Journal,' March 12, 1903. 118. Circulars containing extracts from 'Railroad Telegrapher,' January, 1903. 119. Copy 'Western Clarion,' May 28, 1903. 120. Copy 'Railway Employees Journal,' May, 21, 1903. 121. Copy 'Railway Employees Journal,' March 19, 1903. 122. Book containing newspaper extracts marked '*re* strike.' 123. Book containing newspaper extracts marked 'Estes.' 124. Constitution and by-laws of U.B.R.E.

PART SECOND.—

1. Bundle of correspondence, telegrams, memoranda, &c., marked 'A.'

This is the schedule referred to in the declaration of Richard Marpole, declared before me this 3rd day of June, A.D., 1903.

E. V. BODWELL,
A Commissioner, &c.

EXHIBIT 24.

Correspondence produced by T. J. Shenton, being copies of certain letters received by him as secretary of the Miner's Union at Nanaimo, referring in no way to existing dispute.

EXHIBIT 25.

Affidavit of documents of U. B. R. E.

EXHIBIT 26.

In the matter of the Royal Commission to inquire into labour matters in British Columbia.

Affidavit as to documents :—

I, Robert Brooke, recently chief clerk in the Canadian Pacific Railway Telegraph office of the city of Vancouver, B. C., make oath and say :

1. That I am the manager of the local division of the United Brotherhood of Railway Employees at Vancouver, B.C.

2. That I have in my possession or power the documents relating to the matters in question upon the inquiry into the causes of the railway strike at Vancouver set forth in the first and second parts of the first schedule hereto.

3. That I object to produce the said documents set forth in the second part of the first schedule hereto.

4. That my grounds of objection are set forth accurately and correctly in the said second part of said schedule.

5. That I have had, but have not now in my possession or power the documents relating to the matters in question in this suit set forth in the second schedule hereto.

6. The last mentioned documents were last in my possession or power on or about the dates mentioned in the said second schedule.

7. That the said documents referred to in the second schedule were last heard of by me, or last in my possession on or about the time mentioned in the second schedule.

8. That according to the best of my knowledge, information and belief, I have not now and never had in my possession, custody or power or in the possession, custody or power of the secretary of the United Brotherhood of Railway Employees, or of the solicitor or solicitors for the said organization, or in the possession of any agent of the same, or in the possession, custody or power of any other person or persons on my behalf, or on behalf of the said union, any deed, account, book of account, voucher, receipt, letter, memorandum, paper or writing, or any copy of or extract from any such documents, or any other document whatsoever relating to the matters in question upon this inquiry or any of them, or wherein any entry has been made relative to such matters or any of them other than and except the documents set forth in the said first and second schedules hereto.

Sworn before me at Vancouver, B.C., this 4th day of June, 1903.

ROBERT BROOKE.

THOMAS MATHEWS,
Notary Public, B.C.

This is the first schedule referred to in the affidavit of documents of Robert Brooke, manager of the United Brotherhood of Railway Employees, hereunto annexed and sworn before me to-day :—

1. Charter of Division No. 81 of the United Brotherhood of Railway Employees, dated June 24, 1902.

2. Constitution and by-laws of the United Brotherhood of Railway Employees.

3. Ritual of the United Brotherhood of Railway Employees.

4. Souvenir History, published by Division No. 81, United Brotherhood of Railway Employees.

5. Pension scheme of the Canadian Pacific Railway Company and circular signed by president, dated December, 1902.

6. Copy of contract, or wage schedule, between the freight-handlers and the Canadian Pacific Railway Company, dated May 31, 1902.

7. Notice *re* strikers, dated February 26, 1903.

8. Letter from President Estes to all divisions, dated March 1, 1903.

9. Letter from J. R. Lawson to P. G. Denison, dated February 27, 1903.

10. Letter from the International Brotherhood of Blacksmiths Union, No. 151, dated March 2, 1903.

11. Letter from the Brotherhood of Maintenance of Way Employees, No. 167, dated March 2.

12. Letter dated March 8, from the Shingle Weavers' Union, No. 8390.

13. Letter dated March 4, from the Cigarmakers' Union, No. 357.

14. Letter dated March 4, from the Building Trades Council.

15. Letter, undated, from the Bakers' Union.

16. Letter from the Team Drivers' International Union, dated March 4.

17. Letter from the International Brotherhood of Bookbinders, Local Union No. 105, dated March 4.

18. Letter dated March 9, from the executive of the United Brotherhood of Railway Employees, addressed to the people of British Columbia.

19. Memo. dated March 10, giving statement of causes leading to strike.

20. Letter dated March 21, to the Rev. G. A. Wilson, secretary of the Ministerial Association, Vancouver.

21. Memo. dated March 25, giving strikers' explanation.

22. Letter dated March 25, from the Amalgamated Society of Engineers, No. 581.

23. Letter dated March 26, to the Rev. G. A. Wilson, secretary of the Ministerial Association.

24. Letter dated March 22, from the Victoria Trades and Labour Council.

25. Letter dated March 31, to P. M. Draper, secretary-treasurer Trades and Labour Congress, Ottawa.

26. Letter dated April 2, from G. B. Clark.

27. Letter dated April 3, from Chas. H. Tupper to Chas. Wilson, K.C.

28. Letter dated April 3, from the four allied unions to E. A. Haggen.

29. Batch of correspondence dated April 10, regarding Mr. Haggen's endeavour to bring about a settlement.

30. Letter dated April 11, to E. A. Haggen.

31. Letter dated April 14, from Wilson, Senkler & Bloomfield.

32. Letter dated May 11, from Charles Clarke, Revelstoke.

33. Letter from City Clerk, Vancouver.

34. Copy of letter from agent Division 81, Brotherhood of Railway Employees, to Sam. Smith, Sydney, Australia, dated March 6.

35. Bundle of newspaper clippings from various newspapers, fastened together and marked letter 'Z.'

36. Copy of correspondence between R. Marpole and Colonel Prior, dated March 16, and copy of interview with Mr. Marpole attached thereto.

37. Letter dated March 10 from E. G. Prior.

38. Letter from E. B. Smith, dated May 1, 1903.

39. Copy letter to superintendent at Revelstoke, signed by the executive committee, dated March 2, 1903.

40. Copy letter from agent Division No. 81, United Brotherhood of Railway Employees, to E. G. Prior, dated March 12, 1903.

41. Copy of letter from the President of the United Brotherhood of Railway Employees to R. Marpole, dated March 5, 1903.

42. Letter from the agent of the United Brotherhood of Railway Employees to W. J. Lamerack, dated March 7.

43. Copy of letter to W. Gault, dated March 4.

44. Copies of letters from agent Division No. 81, United Brotherhood of Railway Employees, to the Wholesale Grocers, dated March 2, 1903.

45. Telegram from George Estes to agent Division 81, United Brotherhood of Railway Employees, dated February 25.

46. Memo. of terms and conditions under which strikers will return to work, dated March 6, 1903.

47. Comparative estimate of rates of wages paid, Vancouver and Portland.

48. Letter from H. V. Poore to Robert Brooke, dated January 19, 1903.

THOMAS MATHEWS,
Notary Public, B.C.

This is the second part of the first schedule to the affidavit of Robert Brooke, manager of the United Brotherhood of Railway Employees referred to in the affidavit, hereunto annexed, and sworn before me to-day.

1. Bundles of correspondence marked 'A,' 'B,' 'C,' 'D,' 'E,' and 'F,' comprising in all about 2,000 letters bearing upon the question at issue, most of which are confidential between various members of order, communicated in confidence and under the sanction of the oath of organization.

Most of these communications are in regard to the collecting of funds for the Brotherhood and discussions and reports of progress of the strike, for all of which privilege is claimed.

THOMAS MATTHEWS,
Notary Public, B.C.

This is the second schedule referred to in the affidavit of documents of Robert Brooke, manager of the United Brotherhood of Railway Employees, hereunto annexed and sworn before me to-day.

1. The several letters referred to in the first part of the first schedule hereto, of which only copies are now in my possession, these letters were parted with and posted on or about the dates mentioned in the said first part of the said schedule.

2. The number of communications to various newspapers, of which clippings are now in my possession. These clippings bear the signature of an officer or responsible member of the union, and which clippings are referred to in the first part of the first schedule.

THOMAS MATHEWS,
Notary Public.

EXHIBIT 26.

In the matter of a Royal Commission to inquire into the labour disputes of British Columbia.

Affidavit of documents of U. B. R. E.:—

I, Frederick Joseph Halton, of the city of Vancouver, in the province of British Columbia, ex-employee of the Canadian Pacific Railway, do solemnly declare:—

1. That I am secretary of the local division number eighty-one (81) of the United Brotherhood of Railway Employees.

2. That I have an intimate knowledge of all matters pertaining to the United Brotherhood of Railway Employees' strike.

3. That I have read the declaration of R. Marpole disclosing certain documents.

4. That the documents consisting of bundle of correspondence, telegram, memorandum, etc., marked 'A' I believe to contain a number of special service reports which I am informed and verily believe are liable to production.

5. That the said special service reports are not made as I know for the information of solicitors or for the purpose of taking advice thereupon.

6. That hereunto annexed, marked as exhibit 'A,' is the heading of a special service report which came into my hands sometime ago.

7. That I believe a complete disclosure of these special service reports will show that the Canadian Pacific Railway have been influenced by lying reports, many of which are manufactured and which have constantly inflamed the minds of the officers of the said company against the organization of the United Brotherhood of Railway Employees, and that a disclosure of the same will enable our organization to put ourselves straight on many of these matters.

Declared before me at the city of Vancouver, in the province of British Columbia, this 3rd day of June, 1903.

FRED. J. HALTON.

THOMAS MATHEWS,
Notary Public, B.C.

This is the exhibit A referred to in the affidavit of F. J. Halton, sworn before me at the city of Vancouver, B.C., this 4th day of June, 1903.

THOMAS MATHEWS,
Notary Public.

CANADIAN PACIFIC RAILWAY COMPANY.

SPECIAL SERVICE DEPARTMENT.

DAILY REPORTS OF CONSTABLES AND WATCHMEN.

The following is my report for day, the day of 190

EXHIBIT 27.

LETTERS AND WAGE SCHEDULE OF FREIGHT-HANDLERS, VANCOUVER.

CANADIAN PACIFIC RAILWAY COMPANY,
OFFICE OF THE SUPERINTENDENT,
VANCOUVER, B.C., June 23, 1902.

Mr. J. MCCREERY,
Agent, Vancouver,

DEAR SIR,—This to confirm my verbal understanding with yourself and committee of freight-handlers yesterday that we will grant the rates referred to in their letter of May 31, 1902, such rates to be applied in accordance with the conditions set forth in their schedule, with the exception of overtime for meal hours, which is not allowed.

You may, therefore, confirm this arrangement in writing to the committee. Please see that this is done promptly, as I promised the committee the increases should be covered by an official letter this morning.

Approved,
R. MARPOLE,
General Superintendent.

Yours truly,
H. E. BEASLEY,
Superintendent.

SESSIONAL PAPER No. 36a

CANADIAN PACIFIC RAILWAY COMPANY,
OFFICE OF LOCAL FREIGHT AGENT,
VANCOUVER, B.C., June 23, 1903.

W. BRETT, Esq., Timekeeper, City.

DEAR SIR,—Under the new schedule for freight-handlers and checkers, the following changes will be made in the pay-roll for men working on monthly wages :—

Name.	Occupation.	Old Rate.	New Rate.
		$ cts.	$ cts.
W. B. Moffatt	Foreman	60 00	66 00
P. Harris	"	60 00	66 00
C. H. Silcox	Checker	50 00	55 00
D. Laverock	"	50 00	55 00
J. Abrams	"	50 00	55 00
John McDonald	"	45 00	49 50
E. H. Fowler	Night car checker	45 00	49 50
F. G. Forrest	Day car checker	50 00	55 00
W. J. Bedding	Car sealer	45 00	49 50
W. S. Dick	Day car checker	50 00	55 00

Yours truly,

J. McCREERY,
Local Freight Agent.

UNITED BROTHERHOOD OF RAILWAY FREIGHT-HANDLERS,
FEDERAL UNION No. 4, VANCOUVER, B.C.

Freight-handlers Schedule. Canadian Pacific Railway, Vancouver.

ARTICLE 1.

Section 1.—That the rate of pay for freight-handlers shall be 22 cents per hour day work, and time and one half for overtime.

Section 2.—That rate of pay for checking shall be 27 cents per hour day work and 33 cents per hour overtime.

Section 3.—That the rate of pay for wharfingers and all monthly men shall be increased 10 per cent.

ARTICLE 2.

Section 1.—That 10 hours shall constitute a day's work for freight-handlers and gang checkers, namely from 7 k, to 12 k, and 13 k, to 18 k.

Section 2.—That overtime shall constitute all Sundays, nights, New Year's Day, Good Friday, 24th May, Christmas Day, and any other day proclaimed by the Governor-General in Council.

ARTICLE 3.

Section 1.—That union men be given the preference.

Section 2.—That any one representing the union in any official capacity, shall not be discriminated against by the company.

ARTICLE 4.

Promotions shall be governed by seniority of service and ability to perform the duties required.

ARTICLE 5.

If any member of the union considers himself unjustly dealt with, the agent of the union shall be allowed to take the matter up with the foreman and superintendent.

ARTICLE 6.

That men wanted on the dock at any time shall be called.

ARTICLE 7.

This schedule shall be signed by both parties for twelve months, and if any change be required, thirty days' notice shall be given on either side at the end of twelve months from date of signature, to all of which we agree.

ARTICLE 8.

This schedule shall come into force three weeks from date.

Dated this 31st day of May, 1902.

Signed on behalf of the union.

President. *Secretary.*

EXHIBIT 28.

Constitution and By-laws of the United Brotherhood of Railway Employees. The Star Press, 429 Montgomery St., San Francisco. 113 pages.

EXHIBIT 29.

Ritual of the United Brotherhood of Railway Employees. San Francisco, 1902. 45 pages.

EXHIBIT 30.

Copy of letter to General Superintendent of C.P.R. at Vancouver, by Committee of employees :—

VANCOUVER, February 26, 1903.

R. MARPOLE, Esq.,
General Superintendent,
Canadian Pacific Railway,
Vancouver.

DEAR SIR,—We, the undersigned committee of employees, have been instructed to write you requesting the immediate withdrawal of the suspension of H. P. Forrest of the local freight staff, issued subsequent to your cancellation of his suspension by Mr. Beasley.

We further request a cessation of the policy of intimidation lately pursued against the employees of various departments by your various officials because of their membership in the United Brotherhood of Railway Employees.

A satisfactory written reply hereto is requested by 11.30 o'clock a.m., to-morrow, 27th instant, otherwise the employees represented by this committee will cease work at 12 o'clock noon.

Yours truly,

(Sgd.) ROBT. BROOKE,
(Sgd.) F. J. WALKER,
(Sgd.) DAVID LAVEROCK,
(Sgd.) P. G. DENISON,
(Sgd) S. GARNHAM,
Acting Agent.

EXHIBIT 31.

Extract from letter of Pres. of U.B.R.E., dated Dec. 18, 1902.

'In all your writings carefully word your articles so as to develop a public sentiment for the U.B.R.E.—the Industrial Union Plan—the A.L.U. and against the reactionary and capitalistic party now temporarily in control of the A.F. of L. but not against the masses of members comprising the A.F. of L. Continually separate the administration of the A.F. of L. from the A.F. of L. itself and give all possible praise to the masses of the A.F. of L. but without being personal or vindictive; condemn the temporary capitalistic administration of the A.F. of L. in the shortest terms you can possibly employ.

'In this way you will constantly stimulate and augment a great public sentiment for the U.B.R.E., for the Industrial Union, for the A.L.U. and for *socialism* (but don't use the word) and against the capitalism and the Gompers faction which is working in harmony with Marcus Hanna and the infamous Civic Federation to keep down the masses of the people.'

EXHIBIT 32.

Copy of 'Railway Employees' Journal,' dated at San Francisco, Cal., May 28, 1903.

EXHIBIT 33.

Copy of 'Railway Employees' Journal,' dated at San Francisco, Cal., May 21, 1903.

EXHIBIT 34.

Copy of Railway Employees' Journal, dated at San Francisco, Col., March 19, 1903.

EXHIBIT 35.

Copy of 'Railway Employees' Journal,' dated at San Francisco, Cal., March 12, 1903.

EXHIBIT 36.

Copy of 'Railway Employees' Journal, dated at San Francisco, Cal., April 23, 1903.

EXHIBIT 37.

Copy of circular addressed by President of U.B.R.E. to all unions affiliated with the American Labour Unions :—

UNITED BROTHERHOOD OF RAILWAY EMPLOYEES,
GENERAL OFFICES, 210, 211, 573, 574 PARROT BUILDING,
SAN FRANCISCO, CAL.

EXECUTIVE OFFICE,
PRESIDENT'S HEADQUARTERS IN THE FIELD.
VANCOUVER, B.C., March 27, 1903.

To all Unions
Affiliated with the American Labour Union.

BROTHERS,—The United Brotherhood of Railway Employees is now passing through the fifth week of a tremendous conflict on the Canadian Pacific Railway.

The U.B.R.E. was attacked by the C.P.R. during February last for the purpose of destroying it. Members were intimidated, transferred, reprimanded, suspended and discharged, and every possible effort made to disrupt the Brotherhood.

It was learned that men were being hired in large numbers in Montreal, Winnipeg, Seattle and other points to come to British Columbia under contract for the purpose of brushing away the last vestige of the Brotherhood.

The Division at Vancouver (No. 81) endeavoured to stay the destruction by sending a committee before General Superintendent Marpole, of the Canadian Pacific Railway, but to no purpose, and at noon, Friday, February 27, 1903, acting on its own motion as an emergency measure, the Division struck to save its own life and was quickly followed by the divisions at Revelstoke, Nelson, Calgary and Winnipeg.

The Longshoremen's Union at Vancouver, by reason of its working on the wharfs, where the C.P.R. freight-handlers were out, found itself immediately involved in the strike, and the British Columbia Steamshipmen's Society, also the Teamsters' Union of Vancouver, were at once drawn into the controversy by reason of their close connection with the work performed by the longshoremen and railway employees.

The freight business of the C.P.R. from Winnipeg to Vancouver, 1,500 miles, is more or less demoralized and at Vancouver is practically destroyed for the time being.

The Trades and Labour Councils at Vancouver, Winnipeg, Nelson, Calgary, Revelstoke and Victoria have endorsed the strike and are doing all in their power to help the movement, morally and financially.

There are now one thousand men out and the expenses of conducting the tremendous controversy are enormous.

The strike is only to preserve the union principle and nothing else. The members of the U.B.R.E. who are not out on strike are not asking for more pay or shorter hours of service, but are protesting against the destruction of their union.

The C.P.R. is having men arrested and is resorting to every possible form of petty tyranny to destroy the strike. It is prosecuting the President of the U.B.R.E. and endeavouring to send him to the provincial prison on a charge of inciting men to strike and delaying the mails.

Superintendent H. E. Beasley, of the C.P.R. stated four days before the strike began that the Canadian Pacific Railway would spend a million dollars to kill the U.B.R.E. and the railway is now losing enormous sums daily in its endeavour to crush the Brotherhood.

To win this fight we must have all the financial help possible and as quickly as possible, and we urgently appeal to all unions affiliated with the A.L.U., whose principles we believe in and uphold, to send us financial aid in as large amounts as possible, and to continue aiding us until the fight is won.

Make all remittances to Fred. J. Halton, Agent Division No. 81, U.B.R.E., box 635, Vancouver, B.C., and they will be acknowledged by him and distributed to all the points affected, which includes Victoria, Revelstoke, Nelson, Calgary and Winnipeg.

Yours for Industrial Unionism,

GEO. ESTES,
President, U.B.R.E.

Headquarters American Labor Union,
BUTTE, MONTANA, March 31, 1903.

We approve and endorse the above appeal.

CLARENCE SMITH,
Secretary, A.L.U.

DANIEL McDONALD,
President, A.L.U.

EXHIBIT 38.

Copy of letter to General Superintendent of C.P.R., by committee of employees.

VANCOUVER DIVISION No. 81,
VANCOUVER, B.C., 10.k, January 5, 1903.

R. MARPOLE, Esq.,
General Superintendent,
C.P.R., Vancouver, B.C.

DEAR SIR,—As you are probably aware, some six months ago, the United Brotherhood of Railway Employees came to take up its permanent residence in Vancouver, since which time the membersip has grown to such an extent that it now numbers in Vancouver and immediate vicinity, several hundreds, embracing nearly every branch of the service.

You are also aware that J. W. Allan, of Nelson, was discharged from the service because of his membership in this union. At that time we refrained from taking up his case at his own request. Within the last few days the action taken by the company with reference to Miss Code and Mr. Halton, has been of such a nature as to lead us to suppose that it is the intention of the company to force matters to an issue. The reasons given in the cases of Miss Code and Mr. Halton were not adequate. It is the firm belief of our membership at large that the company's action in the cases quoted are really because the parties mentioned are members of the United Brotherhood of Railway Employees, and to prevent any further trouble in the matter we beg to request that Mr. Halton be reinstated and that Miss Code be also reinstated or be given a position with the Canadian Pacific Railway Company at Vancouver equal in all respects to the position from which she was removed.

We further request that the company use no discrimination against any employee on account of his or her connection with the United Brotherhood of Railway Employees.

We, the undersigned, being bona fide employees of the Canadian Pacific Railway Company (duly elected a committee of the United Brotherhood of Railway Em-

ployees), will wait on you at 14.15 (fourteen-fifteen) o'clock to-day to receive your written agreement to these requests.

Yours truly,

H. P. FORREST, *Local Freight Office.*
ROBT. BROOKE, *Telegraph Department.*
JAMES DICK, *Claims Department.*
J. D. TURNBULL, *Freight Foreman.*
H. WILSON, *Car Service Department.*
P. G. DENISON, *Local Freight Department.*
JNO. ARMSTRONG, *General Freight Department.*
H. J. FERRIS, *Purchasing Department.*
W. R. FOULDS, *Accounting Department.*
R. ROBINSON, *Baggage Master.*
JOHN WALMSLEY, *Local Freight Shed.*
WILLIAM E. MOORE, *Mechanical Department.*
THOMAS PENNEY, *Local Freight Department.*
WILLIAM M. BEARN, *Locomotive Department.*
CLAIR MALCOLM, *Stores Department.*

CANADIAN PACIFIC RAILWAY COMPANY,
OFFICE OF THE GENERAL SUPERINTENDENT,
VANCOUVER, B.C., January 6, 1903.

Mr. W. R. FOULDS,
For the Committee of Employees.

DEAR SIR,—Regarding the interview between a committee of employees and myself this afternoon:

My understanding is that Clerk Halton is to be suspended one week for absenting himself without leave and deceiving you as to the reason for his absence on Wednesday last; this decision being arrived at after the explanation given by Mr. Halton and yourself as to the reason of his absence, which should have been forthcoming before; and that any similar breach of discipline will mean immediate dismissal.

As to Miss Code: There appears to be a misapprehension in her case, as she is still employed, and no intimation was given her that her services were not required.

Yours truly,

General Superintendent.

EXHIBIT 39.

Extract from 'Daily Star,' Montreal, re U.B.R.E. strike.

C.P.R. STRIKERS RETURNING TO WORK.

The strike on the Canadian Pacific steamer *Charmer*, plying between Vancouver and Victoria, is not considered serious by the officials here. It seems that some firemen and deckhands, five or six, left the ship at Vancouver with a view of preventing her sailing.

'These men,' says an official, 'have no grievance whatever against the company, and simply refused to work, to show their sympathy with the clerks whom the company

refuse to reinstate. However, their desire did not succeed, as the *Charmer* not only left Vancouver on time, but also reached Victoria on time. These men made no demand for any increase of their wages ; they are now earning $60 a month and the cost of board, and are simply acting in this manner to endeavour to compel the company to recognize the union. Mr. Estes, president of the new organization known as the United Brotherhood of Railway Employees, is back of the whole thing, but will not succeed any better in the future than he has in the past. The service has not been greatly affected so far. Many of the strikers are returning to work, and many who wish to return are being refused re-employment.'

CLERKS DISMISSED BY CANADIAN PACIFIC.

A sensation was caused on Monday by the dismissal of eight clerks in the department of the auditor of statistics of the Canadian Pacific Railway at Windsor Street station, and two in the office of the superintendent of car service. These gentlemen say that the reason the company gave for discharging them was that the staff had to be reduced, but they claim that the real reason is because they had become members of a union of railroad employees.

Mr. A. A. Goodchild, auditor of statistics, said to-day : 'There is no foundation for the statement that these men were discharged because they belonged to the union. I was instructed to reduce my staff and did it in the best interests of the company. There is no rule forbidding a clerk belonging to the union.

EXHIBIT 40.

Extract from Montreal 'Witness' re U.B.R.E. strike.

THE VANCOUVER STRIKE.

The following letter explains itself:

To the Editor of the 'Witness.'

SIR,—In the issue of the daily 'Star' on Wednesday, March 18, some prominence was given to a report purporting to come from Vancouver, stating that a number of the striking members of the United Brotherhood of Railway Employees were returning to work at that place, also that a number of others desirous of doing so, could not, from the fact that the railway company refused them re-employment.

We are glad to be able to state that there is no truth whatever in the report quoted, and that not a single item enumerated has any foundation in fact. Emphatic denial has been received from the executive committee of the Brotherhood in Vancouver, and it is entirely with a view of removing any false impression created by this report, at the present status of the strike, that we desire you to give publicity to this denial.

Trusting that you will find space for this, and thanking you in anticipation, we are, sir, yours, &c.,

H. WILSON,
Cert. 87, Vancouver Division, No. 81, U.B.R.E.

JAMES DICK,
Cert. 22, Vancouver Division, No. 81, U.B.R.E.

EXHIBIT 41.

Clearance given to H. Wilson by C.P.R.

MONTREAL, March 25, 1903.

Name, Harold Wilson.
Age on entering service, 19 years.
Total length of service, from September 1, 1899, to March 23, 1903.
Employed as clerk at Winnipeg, from September 1, 1899, to December 13, 1899.
Employed as chief clerk at Vancouver, from December 13, 1899, to Feb. 24, 1903.
Employed as clerk at Montreal, from February 24, 1903, to March 23, 1903.
Dismissed, for publishing without the authority of the company incorrect statements damaging to their interest.

(Sgd.) F. A. GASCOIGNE,
Car Accountant.

GEO. S. CANTLIE,
Supt. Car Service.

EXHIBIT 42.

Report of Executive Committee, Nanaimo Union, dated September 30, 1902.

Executive committee meeting held September 30, 1902, to consider the constitution of the different American labour unions.

Members present: President, Mr. W. Neave, R. Blakely, S. Woodcock, M. Churchill, J. Oliver, J. McCouts, T. Booker, T. Johnston and J. Muir.

(1) Moved and seconded, that the executive board meeting favours our affiliation with the Western Federation of Miners, and we thus recommend such affiliation.—Carried unanimously.

The reason your executive recommends affiliation with this body in preference to other bodies is, first, because this Federation is a body of metal and coal miners only, and secondly, because this body at present is not responsible for supporting of the great strike raging in the Pennsylvania district of United States, incurring upon its members a levy equally in the case of the United Mine Workers of ten per cent of the gross earnings of its members. Also, because this body is represented in our province, and is therefore the securest and most convenient body to join.

Moved and seconded, that the treasurer be placed under three hundred dollars bonds, and that the union pay the expenses of providing such bonds.—Carried.

EXHIBIT 43.

Minutes of joint board meeting of Miners' Unions at Nanaimo, April 26, 1903.

No. 177, W.F.M.
NANAIMO, B.C., April 26, 1903.

Conjoint delegate board meeting, held April 26.

Members present: Bro. Jefferies, Bro. Barber, J. Hutchison, D. Haliday, W. Neave, W. Holt, J. Pritchard, J. Carrol.

Moved and seconded, that we send three delegates from this conjoint delegate board to wait upon Mr. McInnis and to approach the government and lay before them

the situation at Ladysmith, and to ask them to use their powers with Mr. Dunsmuir to arrange a settlement at Ladysmith that will be in harmony with the recognition of the union and the reinstatement of men discharged, also reinstatement of any men who may have been discharged at Cumberland. Carried.

Delegates sent were J. Hutchison, T. J. Shenton and J. Pritchard.

No. 177, W.F.M.,
NANAIMO, B.C., April 18, 1903.

That this board recommend to the regular meeting that we tender assistance to Ladysmith by levying ourselves. Also that we seek to arrange a meeting of the Cumberland and Ladysmith unions executives.—Carried.

EXHIBIT 44.

Report of committee appointed by joint board, April 29, 1903.

NANAIMO MINERS' UNION, No. 177, W.F.M.
NANAIMO, B.C., April 29, 1903.

REPORT OF DELEGATION FROM CONJOINT DELEGATE BOARD.

In accordance with the resolution passed by the conjoint delegate meeting held April the 26th inst., which authorized the appointment of three delegates to go to Victoria to interview Mr. McInnis, also to approach the members of the House, and to ask them to use their power to arrange a settlement of the trouble at Ladysmith. We, the undersigned delegates, so appointed, desire to submit the following report: We went to Victoria by train, April 27th ultimo, and after our arrival we proceeded early to the legislative hall, and there interviewed Mr. McInnis. We set before him the reason of our going down, and discussed with him matters relating to the trouble at Ladysmith. He asked us if we could meet him the following Tuesday morning and give him a copy of the resolution passed by the meeting sending us down. We thus arranged to meet him again, as stated, and in consequence we again met him for the second time on Tuesday morning, the 28th inst., and gave to him a copy of resolution spoken of. At this interview we discussed for some time the question of what could be done by him and the House, in arranging an amicable settlement at Ladysmith that would be in harmony with the recognition of the union, the reinstatement of the men discharged, also the reinstatement of the men who may have been discharged at Cumberland. He replied by outlining the method he intended operating to bring about a settlement of matters. He said that Mr. Dunsmuir was sorely afraid of the powerful institution of the W.F.M. and that if he consented to recognition thereof it would mean the destruction of his industry, and in order he said to remove this fear from his mind it was necessary to arrange some kind of agreement between the men and Dunsmuir, and that if this could be accomplished, which he had no doubt that it could, then a settlement could be got. If the men were willing to submit to such an arrangement, covering a period of a year or two then he felt sure the matter could be adjusted. Further, he stated that a caucus meeting was at this time going on among the cabinet, and that he would introduce the matter immediately before this meeting and that if we would see him later on then he would be able to tell us just what was done. Your committee then retired and again, later on in the afternoon of Tuesday, we held another interview with Mr. McInnis, when he stated that he had brought the matter before the cabinet and they had decided writing Mr. Dunsmuir asking him to allow the appointment of a mediator looking to the settlement of the trouble at Ladysmith, and that if this be accepted then the case would be

open for settlement. Our arrangement with Mr. McInnis on leaving, and after this last interview was that so soon as he got a reply from Mr. Dunsmuir he would then write us as early as possible. We waited upon the different members of both sides of the House and acquainted them of our mission, and asked them to do all they could in support of the scheme in arranging a settlement at Ladysmith, and they assured us that they would only be too pleased to do all they could in such a matter.

Each member seemed anxious to help us, and we were informed by them that if anything could be done by any one in the House with Mr. Dunsmuir that Mr. McInnis was the most likely man to do it. We are the conjoint committee.

JOHN HUTCHINSON,
JAMES PRITCHARD,
T. J. SHENTON.

EXHIBIT 45.

Circular letter, Pres. U.B.R.E. to W.F.M., March 1, 1903.

UNITED BROTHERHOOD OF RAILWAY EMPLOYEES,
VANCOUVER DIVISION, No. 81.
VANCOUVER, March 1, 1903.

To the Western Federation of Miners,
United Brotherhood of Railway Employees.

Gentlemen and Brothers,—

Vancouver Division of the U.B.R.E. went on strike at noon February 27, 1903.

The causes which led up to the strike are disclosed in the clipping from the 'World,' a daily newspaper published in Vancouver and a copy of the clipping being attached.

I arrived here six hours after the strike was on.

The situation is very peculiar and was brought about by the determined efforts of the C.P.R. to destroy the U.B.R.E. in British Columbia before it should become powerful enough to secure for its members just consideration from that great railway corporation which pays the poorest salaries of any trunk line in North America.

The strike was called suddenly and quickly as an emergency measure to prevent the destruction of the Brotherhood in this section.

I believe that the division exercised its best judgment in taking the action it did pending my arrival.

The full particulars had been written, and wired me and I left Portland for this place at the earliest possible moment in order that I might be here to assist in this fight for existence in the province of British Columbia.

I will do my utmost to keep all divisions advised of the progress of the strike, which will likely last for some time and will be contested determinedly to the end.

The other unions in Vancouver are quite in sympathy with the movement and are affording us all the help in their power. The situation is improving from our point of view ; we are getting all of our plans and methods thoroughly systematized, so that we may be able to handle the strike successfully.

The C.P.R. has imported twenty-five scabs from Seattle but our members at that point advised us of this movement before the scabs left that place, and most of them came out as soon as they arrived here and learned the true situation.

Superintendent H. E. Beasley, of the Canadian Pacific Railway, stated to our members that the C.P.R. would spend one million to kill the U.B.R.E., because its plan of organization would be too powerful for them to control it, as they are able to do with class orders on railways.

It is necessary, therefore, in order to preserve the life of the U.B.R.E. in Vancouver and British Columbia that we have help and have it as quickly as possible from

every division of our Brotherhood, in order to make this great fight, which is the fight of all members of the U.B.R.E. wherever they may be found.

I earnestly appeal to every member of the Brotherhood to contribute as liberally as possible to this cause and not only that but such divisions as can do so, should raise additional money by any means at their command from among their members and in any way available and forward same to S. Garnham, Casbier, Vancouver Division No. 81, Vancouver, B.C.

All remittances will be acknowledged and a full accounting will be rendered of the division during this controversy.

Fraternally,

GEO. ESTES,
President.

Box 635, Vancouver, B.C.

'DAILY WORLD,'

VANCOUVER, B.C., Saturday, February 28, 1903.

Estes is in the city regarding the strike of the C.P.R. clerks. Gives out a statement. The railway company declines to recognize the Brotherhood and says it cannot tolerate the interference of that body.

President Estes is here regarding the strike of the members of the clerical forces of the C.P.R., who are connected with the United Brotherhood of Railway Employees. The statement of General Superintendent Marpole was given in Friday's paper. Mr. Marpole says that he has nothing to add thereto. The U.B.R.E., he says, is not recognized by the headquarters of the company, and its interference with matters affecting the discipline of the office cannot be tolerated. The C.P.R. says that no trouble has so far been experienced in running any of the offices.

President Estes, of the U.B.R.E., arrived in the city on Friday evening, and all day he has been in consultation with the local executive.

The members of the executive committee to-day gave out the following statement :

'The strike which has occurred in the membership of the U.B.R.E. in the city of Vancouver was forced on the organization against its will by the C.P.R. in the hope of destroying it, to prevent its becoming stronger. No requests or demands for increased pay, shorter hours of service or conditions differing from those hitherto in force were made by the Brotherhood or by the division in Vancouver.

'Officers of the C.P.R. have been calling members of the Brotherhood into their offices and warning them against continuing as members thereof. They have been advised that further promotions would be denied them, and that if they considered their own welfare they should leave the U.B.R.E. immediately.

'In the case of the freight handlers, some 60 or 70 men, their committee was advised that the entire body must leave the U.B.R.E. immediately if they expected to have the present schedule of rates of pay continued for another year.

'C.P.R. detectives, including one McDonald, were placed on the track of Harold V. Poore, the general organizer of the U.B.R.E., who left Vancouver on January 1, under instructions from the Brotherhood to work through to the Atlantic coast. These detectives shadowed and followed his every movement, and did all in their power to dishearten him and cause him to turn back.

'They at first offered him, on behalf of the C.P.R., preferment and all kinds of concessions, provided he would abandon the work of organizing for the U.B.R.E., and at the same time advised him that his work would be made as difficult as possible, and every hindrance thrown in his way, if he continued.

'Statements, seemingly inspired by the C.P.R., were forwarded from Montreal, purporting to have been telegraphed from Winnipeg, to the effect that the great seven

months' strike which the U.B.R.E. has been engaged in on the Canadian Northern railway, was settled on the understanding that employees of the C.N.R. were to withdraw from the U.B.R.E., when the opposite of this was the truth, and the C.N.R. employees are now very rapidly joining the U.B.R.E. at that point.

'The local trouble, which had already become acute, culminated on the 26th inst. by the discharge of H. P. Forrest, outstanding clerk in the local freight office, and a very old and worthy railway employee, and one who is entirely competent in every way, and is so admitted by all who work with him. He was advised that his discharge was for the following reason: George C. Hamilton, also a member of the U.B.R.E., and a resident of Winnipeg forwarded a shipment of household goods, sometimes designated as settlers' effects, from Winnipeg to Ashcroft, and then came on here, and, deciding to have the shipment forwarded here, naturally called at the local freight office of the C.P.R., and presented the prepaid shipping receipt, which was issued to him by the C.P.R. at Winnipeg, and requested that the shipment be ordered to Vancouver. Mr. Forrest, who happened at the moment to be serving at the counter, complied with Mr. Hamilton's request by writing a letter in Mr. Hamilton's name to the agent at Ashcroft, requesting that the shipment be forwarded to Vancouver. The request was complied with by the Ashcroft agent, and for this Mr. Forrest has been discharged, and the allegation made to him by the C.P.R. officers that he had defrauded the company by this action, owing to the fact that the local rates on settlers' effects from Winnipeg to Ashcroft, plus the local rate thence to Vancouver, is cheaper than the through rate from Winnipeg to Vancouver.

'Of this, however, Mr. Forrest had no knowledge, not being either a biller or reviser, and had he been in possession of that knowledge, his action was still proper and in accordance with established methods and practices on all railways in North America. That is to say, when patrons desire shipments forwarded, the local freight staff invariably complies with such request. The fact that the sum of the two local rates happened to be less than the through rate covering both local hauls cannot prevent a shipper from forwarding goods from Winnipeg to Ashcroft, and then re-shipping to Vancouver whenever he desires to do so, and moreover the through rate is not in excess of the combined locals, because of the fact that the general freight department of the C.P.R. has issued instructions to use for the through rate the combination of the locals, if such combination would make a lower rate. Therefore from every possible point of view the action of Mr. Forrest was eminently right and proper.

'However, he was discharged and the charge of fraud hurled at him, but the real cause was to precipitate trouble with the U.B.R.E. and crush the organization if possible.

'Following this, David Inches, jr., business agent for Division No. 97, U.B.R.E., at Revelstoke, was discharged without sufficient cause, and not only has abundant evidence thus been furnished of the intention of the C.P.R. to destroy this Brotherhood, but the officers of the C.P.R. have stated plainly that they will spend a million dollars to destroy the U.B.R.E., because the plan of organization is laid on a foundation so broad and deep that they are unwilling that it shall gain a footing in Canada.

'There being no possible hope of an amicable settlement with a management whose open and avowed policy is the destruction of this organization, it has pursued the only course open to it, that is to say, after 48 hours' notice, the members of the clerical department of the C.P.R., connected with the U.B.R.E. have ceased serving that company, and earnestly appeal to all union men in Vancouver and British Columbia to support their just cause, which is merely to preserve the union principle, or the right of these men to become and remain members of the organization which they have selected.'

A meeting of the general body of the U.B.R.E. is being held this afternoon.

EXHIBIT 46.

Additional bundle of papers put in by T. J. Shenton relating to affairs of the Nanaimo Union, &c., correspondence *re* legislation, &c.

EXHIBIT 47.

Copy telegram G. R. Scantlie to W. O. Miller.

MONTREAL, Feb. 24, 1903.

W. O. MILLER,
Vancouver, B.C.

Owing to change in staff I have position here for Wilson. Would like you to send him east at once. Will send good man Thursday to replace. Answer.

G. R. SCANTLIE.

EXHIBIT 48.

Copy telegram, S. Garnham to H. Wilson.

VANCOUVER, B.C., Mar. 18, 1903.

H. WILSON,
76 Mackay St.

Deny report emphatically; all firm, and fight going on in our favour.

S. GARNHAM.

EXHIBIT 49.

Copy of Pension Scheme of Canadian Pacific Railway.

CANADIAN PACIFIC RAILWAY,
OFFICE OF THE PRESIDENT,
MONTREAL, December 8, 1902.

The company feels that a time has arrived when some provision should be made for officers and permanent employees who, after long years of faithful service, have reached an age when they are unequal to the further performance of their duties. With this object in view, the directors, with the approval of the shareholders, have, after a careful study of the question, determined upon a plan of superannuation, the particulars of which are set out in the accompanying rules and regulations.

The system adopted calls for no contributions from the employees themselves.

The company hopes, by thus voluntarily establishing a system under which a continued income will be assured to those who after years of continuous service are by age or infirmity no longer fitted to perform their duties, and without which they might be left entirely without means of support, to build up amongst them a feeling of support, to build up amongst them a feeling of permanency in their employment, an enlarged interest in the company's welfare, and a desire to remain in and to devote their best efforts and attention to the company's service.

T. G. SHAUGHNESSY,
President.

CANADIAN PACIFIC RAILWAY COMPANY.

Pension Department.

Rules and Regulations.

1. The adminstration of the Pension Department shall be under the direction of a committee to be composed of the following officers of the company :—The president, the vice-presidents, the chief solicitor.

A secretary shall be appointed who shall have charge of the records of the department.

The president of the company shall be *ex officio* chairman of the committee.

2. The office of the Pension Department shall be at Montreal.

3. All communications shall be addressed to the Pension Department.

4. Meetings of the committee shall be held at 10 o'clock in the morning of the first Monday in each month. Other meetings may be held if necessary at the call of the secretary.

5. The committee shall have power :

To make and enforce rules and regulations for the efficient operation of the pension department ;

To determine the eligibility of employees to receive allowances.

To fix the amount of such allowances; and

To prescribe the conditions under which such allowances may inure.

They shall make rules for their own government not inconsistent with these regulations, and from time to time, as required, make reports of their action to the board of directors of the company.

The proceedings of the committee shall be subject to the approval of the board.

6. The benefits of the pension system shall apply only to those persons who have been required to give their entire time to the company, or to the company and some other railway company or railway companies jointly. In cases of joint employment, and when the whole salary is not paid by this company, the pension to be paid by this company shall be estimated upon the proportion of salary or wages received from this company.

All officers and employees who have attained the age of sixty-five years shall be retired, and such of said officers and employees who have been ten years or longer in the company's service shall be pensioned.

The committee, however, shall have power to vary the foregoing rule and retain in the service any employee who has reached the age of sixty-five years if in their opinion it is in the interest of the company to do so; provided, however, that no employee who has reached the age of sixty-five years without having served ten years continuously in the company's service, and who shall be retained in the service after he attains the age of sixty-five years, shall be eligible for pension allowance.

8. Officers and employees between the age of sixty and sixty-five, may at the discretion of the committee, be retired with a pension either upon the application of such employee or upon the recommendation of the head of the department.

Under special circumstances the committee shall have the power to retire with a pension employees who have not reached the age of sixty years, and the committee shall also have the power in special cases to add additional years to the actual term of service, provided that in each case the approval of the board shall have been first obtained.

Physical examination shall be made of employees recommended for retirement who are under sixty-five years of age, and a report with the recommendation of the company's surgeon shall be transmitted to the committee for consideration in dealing with such cases.

Six months' previous notice shall be given to employees who are to be compulsorily retired.

9. Retirement shall be made effective from the first days of January or July in each year.

10. The terms 'service' or 'in the service' shall refer to employment upon or in connection with any other railways operated by the company, and the service of any employee shall be considered as continuous from the date since which he has been continually employed upon such railways, whether prior or subsequent to their control or acquisition by the Canadian Pacific Railway; provided, however, that in no case shall such service be counted for any period prior to the incorporation of the Canadian Pacific Railway Company.

11. In computing service it shall be reckoned from the day since which the person has been in the service to the date when retired.

12. Leave of absence, suspension, dismissal, followed by reinstatement within one year, or a temporary lay-off on account of reduction of forces, need not necessarily be treated by the committee as constituting a breach in the continuity of the service, and the time when so laid off or absent, unless the employee has during such absence entered other employment, may be allowed by the committee to count as part of such service.

Persons voluntarily leaving the employment of the company when their services are required thereby become ineligible for pension allowance.

13. The pension allowance authorized shall be granted upon the following basis: For each year of service an allowance of one per cent of the average monthly pay received for the ten years preceding retirement. For instance, an employee has been in the service for forty years and received on an average for the last ten years fifty dollars per month, the pension allowance would be forty per cent of fifty dollars, or twenty dollars per month.

In calculating the period of service upon which the pension allowance is based, the broken period following the completion of a year, when it is less than six months, shall not be counted, when it exceeds six months it shall count as an additional year.

14. When pension allowances are authorized, pursuant to these regulations, they shall be paid monthly during the life of the beneficiary; provided, however, that the company may cancel any pension in case of gross misconduct on the part of the pensioner.

15. Pay-rolls covering all pension allowances, showing the names of those to whom such allowances have been made and the amount of such allowances, shall be prepared at the close of each month by the secretary of the department; shall be certified by him; shall be countersigned by at least one member of the committee; and shall be forwarded to the accounting department for registration and payment.

16. The officer in charge of the staff records of the company shall report to the pension department on the first days of January and July in each year, the names, with the particulars of service, of all employees who will attain, during the ensuing six months, the requisite age for consideration for a pension allowance.

17. The secretary of the pension department shall keep himself informed of the whereabouts of all employees who have been retired from the service, and shall require satisfactory evidence from each of such employees, at least once a year, that he still comes within the rules of the pension department.

18. In order that the direct personal relations between the company and its retired employees may be preserved and that they may continue to enjoy the benefit of the pension system, no assignment of pensions will be permitted or recognized.

19. The acceptance of a pension allowance does not debar a retired employee from engaging in other business, but such retired employee cannot so engage in other business nor re-enter the service of the company, except with the consent of the committee, without forfeiting his pension allowance.

20. The establishment and continuance of this system of pensions is entirely a voluntary act on the part of the company, and as the employees do not in any way contribute towards it, neither the action of the board of directors in establishing such a system, nor any other action now or hereafter taken by them or by the committee in the inauguration or operation of the pension department, shall be construed as giving to any officer or employee of the company a legal right to be retained in its service, or any legal right or claim to pension allowance. While it is the policy of the company to encourage its employees to remain with it, and by faithful service to earn a pension, the company expressly reserves its right and privilege to discharge at any time any officer, agent or employee, when the interest of the company, in its judgment, may so require, without liability for any claim for pension or other allowance than the salary or wages due and unpaid.

21. These rules and regulations shall take effect on January 1, 1903, and may be altered or repealed from time to time as the committee, subject to the approval of the board, may hereafter determine.

MONTREAL, November 10, 1902.

EXHIBIT 50.

Copy of alleged blacklist of C. P. R.

CANADIAN PACIFIC RAILWAY COMPANY,
OFFICE OF SUPERINTENDENT,
NELSON, February 9, 1903.

CHAS. RUSSELL, Esq.,
Supt. N. P. Railwa
Missoula, Mont.

DEAR SIR,—Benjamin Franklin Wood is an applicant for employment in the operating department of this company. He states he was employed by operating department as switchman, at Missoula, from July to December, 1902.

Will you kindly favour us with information regarding his record? Your reply will be treated confidentially.

Yours truly,

WM. DOWNIE,
Superintendent.

PLEASE REPLY HEREON.

The person above named was employed by C. Russell, superintendent, as switchman at Missoula, from January 28, 1902, to February 9, 1902, with the following record: Struck during day switchman strike; agitator; took prominent part in strike. Clearance reads 'dismissed account reduction of force.'

C. RUSSELL,

Date February 12, 1903.

EXHIBIT 51.

Copy of recommendation given by C.P.R. to W. H. Browne.

CANADIAN PACIFIC RAILWAY COMPANY,
VANCOUVER STATION, January 10, 1903.

To whom it may concern.

This is to certify that the bearer, W. H. Browne has worked in the freight office of the C.P.R. for the last twelve years and is a competent clerk and is steady and reliable.

Yours truly,
(Sgd.) J. M. McCREERY,
Agent.

EXHIBIT 52.

Telegrams put in by agent of G.N.W. Telegraph Company at Vancouver, B.C., being copies of all telegrams sent or received by that office during March, April or May, 1901, referring in any way to the strike.

EXHIBIT 53.

Telegrams put in by agent of C.P.R. Telegraph Company at Vancouver, B.C., being copies of all telegrams sent or received by that office during March, April or May, 1901, referring in any way to the strike.

EXHIBIT 54.

VICTORIA, B. C., June 8, 1903.

E. P. DAVIS, K.C.,
Vancouver, B.C.,

Dunsmuir authorizes me say that no prosecution will be undertaken against Estes by E. & N. if he returns give evidence before Royal Commission.

E. V. BODWELL.

EXHIBIT 55.

Statement of time of certain C.P.R. employees.

J. E. Baker, November 24, 8 a.m. to 2 a.m.; on time following day.
P. G. Denison, December 10, 8.05 to 8k, December 11, out for breakfast.
J. N. Kendall, 8.30 to 8k, December 11.
P. G. Denison, 3 p.m., December 13, to 4 a.m., December 14.
Kendall, 3 p.m., December 13, to 4 a.m., December 14.
P. G. Denison, 13.30, December 14, to 21.30, Sunday.
J. N. Kendall, 13.30, December 14, to 21.30, Sunday.
P. G. Denison, 10k, December 27, to 21.15.
W. J. Marshall, 10k, December 27, to 22.30.
P. G. Denison, 8.30, December 30, to 2.30, December 31.
J. N. Kendall, 8.30, December 30, to 2.30, December 31.
P. G. Denison, 13k, December 31, to 5 a.m., January 1, 1903.
J. N. Kendall, 13k, December 31, to 5 a.m., January 1, 1903.

P. G. Denison, 8 a.m., January 2, to 18k, January 2.
P. G. Denison, 8.30, January 8, to 5 a.m., January 9, 1903.
P. G. Denison, 8 a.m., January 27, to 3k, January 28, 1903.
J. N. Kendall, 8 a.m., January 27, to 3k, January 28, 1903.

EXHIBIT 56.

Comparison of Vancouver and Portland rates of wages.

Occupation.		Vancouver Rates.	Portland, Oregon, Rates.
		$ cts.	$ cts.
Stationmen—	The baggage for all railways entering Portland is handled by the Terminal Company. The chief baggagemaster gets about $125 per month and checkmen about $60		
Baggagemaster		75 00	
Depotmaster		70 00	
Baggageman		55 00	
Local Freight Office—			
Customs clerk		55 00	None.
Stenographer		35 00	65 00
Abstract clerk		55 00	70 00
Timekeeper		50 00	Agt. keeps time.
Statistical clerk		55 00	70 00
Accountant		70 00	70 00
Asst. accountant		50 00	65 00
Expenses clerk		50 00	65 00
Clerk		45 00	65 00
Coastwise S. S. clerk		50 00	None.
Abstract clerk		55 00	70 00
O. S. and D. clerk		55 00	70 00
Claims clerk		65 00	70 00
Asst. O. S. clerk		50 00	None.
Outstanding clerk		65 00	None.
Night biller		55 00	70 00
"		55 00	70 00
S. S. clerk		75 00	None.
Asst. cashier		65 00	70 00
Cashier		75 00	100 00
L. F. agent		140 00	180 00
Chief biller		70 00	80 00
Chief clerk		80 00	110 00
Collector		45 00	70 00
Warehouse clerk		50 00	70 00
Revising clerk		60 00	75 00
Asst. claims agent	Pacific div. 936 miles	70 00	Not in S. P. system.
Freight Sheds—			
General foreman		80 00	95 00
Asst. "		66 00	70 00
Car checkers		55 00	65 00
Checkers		33 00	60 00
Cashier		65 00	70 00
Audit office—			
Accountant		85 00	This system is not used on the S. P. There is only one auditing office and it is at San Francisco and audits the accounts of 8,100 miles of railway.
Chief clerk		70 00	
Statistical clerk		55 00	
Pay roll clerk		45 00	
Appropriation clerk	Pacific division 936 miles	35 00	
Voucher clerk		35 00	
General—			
Trainmen's timekeeper	Chief clerk in div. supt's. office	60 00	125 00
Engineer's "	" master mechanic's office	66 00	125 00
Staff record clerk		40 00	None such.
Roadmaster's clerk	Roadmasters are not allowed clerks on the S. P. system although they frequently put on clerks and report them as labourers to head office at $1.75 per day	45 00	None.

EXHIBIT 57.

C. P. R. comparison of Vancouver and Portland rates of wages.

Vancouver wharf and local freight shed.

	Present.	Proposed.	Nor. Pac. Ry.		Great Northern Ry.			O. R. & N. S. Pac.	
			Seattle.	Tacoma	Portland.	Seattle.	Spokane	Portland.	Portland.
	$ cts.	$ cts.	$ cts.	$ cts. Genl.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Agent	125 00	140 00	160 00	200 00	140 00	150 00	135 00	140 00	180 00
Chief clerk	80 00	80 00	85 00 100 00	110 00 95 00	95 00	90 00	90 00	110 00	110 00
Cashier	70 00	75 00	110 00	110 00 95 00	95 00	100 00	90 00	100 00	100 00
Asst. cashier	60 00	65 00	75 00 65 00	75 00	65 00	75 00	65 00	67 50	.....
S. S. clerk	70 00	75 00	.....	70 00	.....	.....	.....	.....	.....
Chief biller	70 00	70 00	70 00	80 00	75 00	70 00	65 00	75 00	80 00
Asst. "	45 00	50 00	.....	.....	60 00	60 00	60 00	.....	65 00
Night "	50 00	55 00	60 00	.....	60 00	60 00	60 00	65 00	70 00
Accountant	65 00	65 00	60 00	.....	60 00	60 00	.....	60 00	70 00
Asst. accountant	45 00	50 00	.....	70 00	.....	.....	55 00	.....	60 00
O. S. clerk	55 00	65 00	65 00	70 00 65 00	.....	65 00	60 00	65 00	65 00
Clerk	45 00	45 00	60 00	.....	.....	50 00	.....	60 00	.....
Claims clerk	60 00	60 00	70 00	.....	65 00	70 00	60 00	63 00 67 50	70 00
O. S. & D	50 00	60 00	65 00	65 00 70 00	65 00	65 00	60 00	65 00	70 00
Asst. O. S. & D	40 00	45 00	50 00	.....	.....	50 00	50 00	60 00	50 00
Transfer	60 00	65 00	65 00 60 00	.....	.....	60 00	55 00	63 00	70 00 50 00
Revising	60 00	65 00	60 00	*80 00	70 00	80 00	.....	90 00 75 00	75 00
Abstract	50 00	55 00	60 00 65 00	70 00	.....	60 00	50 00	70 00	55 00
Statistical	50 00	55 00	60 00	60 00	.....	60 00	.....	63 00	60 00
Timekeeper or warehouse clerk	45 00	50 00	.....	.....	.....	50 00	50 00	.....	.....
Foreman's clerk	50 00	50 00	45 00	.....	.....	50 00	50 00	.....	.....
Customs	50 00	50 00	.....	60 00	.....	60 00	.....	.....	60 00
P. N. S. S.	45 00	50 00	.....	.....	.....	.....	.....	.....	.....
Warehouse local	50 00	55 00	50 00	60 00	.....	.....	.....	.....	60 00
Abstract	50 00	55 00	.....	70 00	.....	60 00	.....	.....	.....
Clerk	45 00	45 00	.....	60 00	.....	50 00	50 00	.....	.....
"	40 00	45 00	.....	.....	.....	.....	.....	.....	.....
Stenographer	30 00	35 00	55 00	.....	60 00	50 00	55 00	.....	70 00
Expense, local	45 00	50 00	.....	.....	.....	60 00	55 00	.....	.....
Cashier, local	65 00	70 00	.....	.....	70 00 75 00	75 00	.....	.....	.....
Wharf foreman	85 00	Asst. agt $85 or $90	80 00	90 00	80 00	75 00	.....	90 00	95 00
Asst. "	70 00	70 00	.....	75 00	75 00	75 00	75 00	.....	70 00
Foreman	60 00	60 00	.....	65 00	70 00	75 00	.....	.....	65 00
Checkers	60 00	60 00	.....	60 00 65 00	.....	55 00 60 00	60 00	63 00 2 10	60 00
Truckers	.....	.....	.....	2 50	1 95	1 75	1 75	1 95	2 25
Labourers	0 22	0 22	.....	2 25	2 00	2 00 1 75	2 00	.....	.....
" overtime	0 33	0 33	.....	0 25	0 25	.....	0 25	per hr	.....

*Chief auditor.

CANADIAN PACIFIC RAILWAY.

PACIFIC DIVISION.

OFFICE OF THE GENERAL SUPERINTENDENT,
VANCOUVER, B.C.

Nelson Freight Shed and Station Staff.

Propose to equalize the rates now paid for clerical help with what is paid south of Nelson, to wit: at Spokane; but, of course, taking into consideration the class and volume of work done, but the rates are not in any case to exceed those we propose to pay at Vancouver and Revelstoke.

Unfortunately, have not Nelson and Revelstoke pay-rolls by me at the moment, but will ask you to authorize an increase not to exceed $40 per month at both places ($25 at Nelson and $15 at Revelstoke, distributed as I may determine).

EXHIBIT 58.

Letter-press copies of letters referred to in evidence of P. Dennison at Vancouver, June 8.

EXHIBIT 59.

Preamble and Constitution of the American Labour Union, adopted at Salt Lake City, May 10-16, 1898, 26 pages.

EXHIBIT 60.

Letter from Wilson, Senkler & Bloomfield to F. J. Halton, dated April 14, 1903, re Alien Labour Act.

VANCOUVER, April 14, 1903.

F. J. HALTON, Esq.,
Secretary U.B.R.E.,
City.

DEAR SIR,—We were instructed some few weeks ago with respect to a clear case of importation of alien labour. As you know, proceedings cannot be taken under the Alien Labour Act without the consent of the Dominion Attorney General. In order to ascertain the procedure necessary under these circumstances, we wrote to Sir Chas. Hibbert Tupper for information on the subject, and asked him to interview the Minister of Justice and ascertain what was to be done. We inclose you a copy of his letter, which explains itself. In other words, the Act is really a dead letter by reason of the means adopted for its enforcement.

Yours faithfully,

WILSON, SENKLER & BLOOMFIELD.

EXHIBIT 61.

Letter from Sir Charles Hibbert Tupper to Charles Wilson, dated April 3, 1903, re Alien Labour Act.

HOUSE OF COMMONS,
OTTAWA, April 3, 1903.

MY DEAR WILSON,—Immediately on receipt of your letter of March 24, I saw the Minister of Justice, and his attitude confirms the general disaffection in regard to the Alien Labour Act. What he practically says is that these proceedings are under the administration of the Department of Labour, and applications to have proceedings taken must be considered there in the first instance. This means, of course, a formal presentation of your case to that department. Then, he says, if it be thought desirable for the Attorney General to intervene in any case, representation for that purpose should emanate from the Department of Labour.

I will see you shortly as I leave to-morrow for the coast, stopping a day at Winnipeg *en route*.

Your sincerely,
CHARLES HIBBERT TUPPER.

CHARLES WILSON, Esq., K. C.,
Vancouver, B.C.

EXHIBIT 62.

Telegrams produced by agent of C.P.R. Telegraph Company at Vancouver, affecting U.B.R.E. strike.

EXHIBIT 62.

Additional telegrams produced by C.P.R. Telegraph Company, concerning U.B.R.E. strike.

EXHIBIT 63.

Letter from John McNeil to J. H. Watson.

BROTHERHOOD OF BOILERMAKERS AND SHIPBUILDERS OF AMERICA,
KANSAS CITY, KAS., April 11, 1903.

J. H. WATSON, Esq.,
Cor. Sec. L. No. 194,
Vancouver, B.C.

* * * * * * *

DEAR SIR AND BROTHER,—Now, in regard to the boilermakers working on the C.P.R., will say, that under no consideration will we allow any of our members to violate a contract, and if any of the men attach themselves to any dual organization, or go out in sympathy with any other organization and violate their contract, they will immediately annul their cards, and a lodge that will encourage them to do so, we will call in their charter. We appreciate the sanctity of a contract, and if we do not live up to contracts, in a very short time the employers will refuse to make any with us. I hope you will so notify those members, as you can rest assured that we will do just as stated in this letter.

With best wishes and regards, I remain

Yours fraternally,
(Signed) JOHN McNEIL,
G.P.O.

EXHIBIT 64.

Letter from headquarters of Bakers' International Union to members of Bakers' Union, Vancouver.

BAKERS AND CONFECTIONERS' INTERNATIONAL UNION,
CLEVELAND, OHIO, May 17, 1903.

Matter of Local Union No. 46, vs. members W. A. Wood, S. R. Brown, John William, F. W. Bartte, C. A. Welland and S. A. Nelson.

BROTHERS,—At the last session of the international executive board the matter in which Union 46, and above members are, or have been involved in for some time was taken up and carefully considered.

When any one joins an organization, he pledges himself to abide by the decisions of the union, of the majority, and the union on the other hand promises to protect its members and give justice to every one affiliated.

In reading the letters from both sides the international executive board finds that the members as named have not followed the instructions of their local union, and therefore the action of the union was upheld in this case.

But in the fining of S. A. Nelson, the international executive board decided to instruct Union No. 46, to annul that fine, because according to our constitution any member has a right to communicate with the officers of the International Union and seek information.

Per order International Executive Board,

F. H. HARZBECKER,

Int. Secretary J. B. & C. I. U. of America.

P.S.—Absence from headquarters delayed me sending you this letter.

EXHIBIT 65.

List of parties who quit buying bread at Muir's bakery, Vancouver, on account of labour troubles.

The following are the names of parties who quit buying bread at Muir's bakery on account of union troubles :—

524 Church.
New York Kitchen, Abbott St.
Carleton's Grocery, Dunsmuir and Hamilton.
De Rosey, 528 Helmecken St.
Savard.
Ostrum, 1018 Burnaby.
Owens, 1214 Hornby.
McQuillan, 431 Rooson.
542 Homer.
Jefferson, 804 Homer.
Sims, 1227 Richard.
Davis, 712 Homer.
Yendall, Richard St.
1126 Pender.
1135 Pender.
Babcock, Broughton and Pender Sts.
Hornby & Dunsmuir.
Heming, 1700 Blk. Georgia.
1156 Davie.
W. Anderson, 110 Dunlevy.
830 Dunlevy.
837 Gore Avenue.
808 Gore Avenue.
Mrs. Young, 235 Barnard.
1214 Princess St.
1256 Princess St.
Victoria House.
Taggart's Grocery, Granville.
Mrs. Stevenson, 7 Ave., Fairview.
J. Courtney, 202 West Ave.
McCulloch Bros.' Grocery.
Mrs. Aldred's Grocery, West Ave.
Aldred & Son, grocery, West Ave.
Mrs. Greaves, 1133 Comox.
Mrs. Chamberlane, 717 Burrard.
Thomson, 552 Howe St.
Mathews, 564 Howe St.
The Norden Hotel, Cordova St.
S. Cocker, 539 Hamilton.
331 Robson.
251 Georgia.
230 Georgia.
533 Homer.
(43 names in all.)

EXHIBIT 66.

Agreement between W. D. Muir, Vancouver, and his Employees.

AGREEMENT.

This agreement, made and entered into this 28th day of June, A.D. 1902, by and between W. D. Muir, Vancouver, party of the first part, and Bakers' and Confectioners' International Union, No. 46, of the City of Vancouver, B.C., party of the second part;

Witnesseth, That said party of the first part hereby agrees that the following scale of wages and shop rules shall govern the bakery operated by said party of the first part:

1. All men shall be furnished by Local Union No. 46, should said union be in a position to furnish them; should, however, the master baker engage a baker from outside of the organization, no objection will be made if such baker will join our union, unless there are charges against him from some other union.

2. Nine hours shall constitute a day's work, the aggregate hours not to exceed fifty-four (54) hours per week of six (6) days. The hour of starting work shall not be earlier than five (5) a.m., except on Mondays, when it may be not earlier than three (3) a.m.

3. Nine hours shall constitute a night's work, the aggregate hours not to exceed fifty-four (54) hours per week of six days, at the same rate of pay as day work, but on and after September 1, 1902, the master baker hereby agrees to substitute day work.

4. Journeymen shall be paid a minimum wage of fourteen ($14) dollars per week; foremen, a minimum wage of sixteen ($16) dollars per week; men working in single-handed shops same rate as foremen; jobbers shall be paid a minimum wage of two dollars and seventy-five cents ($2.75) per day.

5. Only in cases of necessity shall overtime be allowed and paid at the rate of time and a half.

6. Time and a half shall be paid for work done on legal holidays.

7. The union label shall be furnished the master baker on demand so long as the firm upholds the agreement with the union; but the union reserves the right to agitate for the union label whether the master baker adopts the same or not.

8. In case of any grievance a committee of the union shall try to adjust the same with the firm.

9. One apprentice shall be allowed each shop.

10. No member of this union shall work with Oriental labour.

11. These regulations shall be in force till the first day of July next, 1903, and no alteration shall be made at the end of that period without fifteen days' notice by the party desiring to make the change. If no notice be given, then these regulations shall continue for a period of twelve months, and so on from year to year.

12. A copy of this scale of wages and shop rules shall be posted in a conspicuous place in each shop.

REGULATIONS FOR APPRENTICES.

Article I.

SEC. 1. An apprentice shall serve three years, not to be indentured. He shall serve his whole time in the bakeshop.

SEC. 2. Nothing less than twelve (12) months in one shop to count part of the three years; but if an employer should from any unforeseen cause be unable to fulfil his obligation to an apprentice, it shall be lawful for such apprentice to complete his term with another employer.

SEC. 3. In case of an apprentice wishing to leave a place and being able to show justification for doing so, he shall come under Section 2, Article 1.

Article II.

The minimum rate of pay for apprentices shall be as follows: For the first year, four ($4) dollars per week; second year, seven ($7) dollars per week; third year, ten ($10) dollars per week, without board; overtime per rate of wages; hours of work to be the same as those of journeymen.

In witness whereof we have hereunto set our hands and seals this 28th day of June, 1902.

W. D. MUIR,
Party of the First Part.

BAKERS' AND CONFECTIONERS' INTERNATIONAL UNION No. 46,
Party of the Second Part.
By WM. H. BARNES,
S. H. WALKER.

NOTICE.—All inquiries, complaints or other communications should be made in writing and addressed to the secretary of the union or the president consulted.

AGREEMENT BETWEEN MASTER AND JOURNEYMEN BAKERS OF VANCOUVER, B.C.

(Endorsed by the International Executive Board and the Trades and Labour Council of Vancouver, B.C.)

This Memorandum of Agreement, made at Vancouver, B.C., on the 22nd day of August, 1901, by W. D. Muir, at No. 2414 Westminster Avenue, Vancouver, B.C., party of the first part, with W. A. Woods, for Bakers' and Confectioners' Union No. 46, of the City of Vancouver, party of the second part,

Witnesseth:

1. All men shall be furnished by Local Union No. 46, should said union be in a position to furnish them; should, however, the master baker engage a baker from outside of the organization to introduce a new kind of bread, &c., no objection will be made if such baker is a union man or will join our union, unless there are charges against him from some other union.

2. *(a.)* Ten hours shall constitute a day's work, the aggregate hours not to exceed sixty hours per week of six days.

(b.) Nine hours shall constitute a night's work, the pay to be the same as for ten hours day work and the aggregate hours not to exceed fifty-four hours per week of six days.

(c.) Time of hours in each case shall be arranged to suit both parties.

3. Time and a half shall be paid for work done on all legal holidays.

4. Journeymen shall be paid a minimum wage of $14 per week; foremen, a minimum wage of $16 per week; jobbers, a minimum of $2.50 per day. Any workmen laid off for any part of a week more than two days shall be paid jobber's wages.

5. Only in case of necessity shall overtime be allowed and paid for at the rate of 25 cents per hour.

6. The union label shall be furnished the master baker on demand so long as the firm upholds the agreement with the union; but the union reserves the right to agitate for the union label whether the master baker adopts the same or not.

7. In case of any grievance, a committee of the union shall try to adjust the same with the firm.

8. One apprentice shall be allowed to each shop.

9. No member of this union shall work with Oriental labour.

10. These regulations shall be in force until 1st July next, 1902, and no alteration be made at the end of that period without thirty days' notice by the party desiring to make the change.

If no notice be given, then these regulations shall be kept in force for a further period of twelve months, and so on from year to year.

Signed on behalf of Firm,
W. D. MUIR.

Signed on behalf of Union,
W. A. WOODS.

Mr. W. D. Muir expects a week's notice.

EXHIBIT 67.

Copy of 'The Bakers' Journal,' published at Cleveland, O., dated May 23, 1903.

EXHIBIT 68.

Constitution of the Journeymen Bakers' and Confectioners' International Union of America.—United Printing Co., Cleveland, Ohio, 1901.

EXHIBIT 69.

Copy of circular placing certain persons in Vancouver on unfair list.

UNFAIR TO UNION LABOUR.

To Union Men of the City of Vancouver, Greeting :

Some time ago the Charles Woodward Company advertised for tenders for the construction of their new departmental store building on the corner of Abbott and Hastings streets. Special delegations and committees were sent by the Vancouver Building Trades Council at different times to Mr. Woodward and others associated with him, viz.: Messrs. Davidson Bros. and R. G. Buchanan & Co., and were always met with the assurance that they did not propose to move their building out of the city in order to do business, but they fully intended to work in harmony with the union men of the city, with whom they fully expected to do the bulk of their trade.

Three times were tenders called for, the previous ones having been too much in excess of the amount appropriated by the company at its formation for the construction of the building. Finally, after considering the third set of tenders for some time the contract awarded to E. Cook, a bitter opponent of organized labour, a man who has persistently exploited little local unions in order to keep the workers fighting among themselves, and to throw dust in their eyes to blind them to the main issues. In consequence of this, the Building Trades Council have placed these firms on the unfair list and request all union men of the city of Vancouver not to patronize the Chas. Woodward Company, corner of Westminster avenue and Harris street, Davidson Brothers, jewellers and silversmiths, Cordova street, R. G. Buchanan and Company, glassware and crockery dealers, Hastings street.

This action on the part of the Building Trades Council was endorsed by the Trades and Labour Council on May 14, 1903, and by the following subordinate unions:—

The Amalgamated Society of Carpenters and Joiners—A purely national organization, headquarters at Manchester, England, and branches all over the English-speaking world.
The United Brotherhood of Carpenters and Joiners International Union.
The Bricklayers and Masons' International Union.
The Journeymen Plumbers' International Union.
The Painters' and Decorators' International Union.
The International Brotherhood of Electrical Workers.
The Stonecutters' International Union.
The Building Labourers—A purely national union.
The Plasterers' International Union.
The Sheet Metal Workers' International Union.
The Lathers—Canadian National Union.

EXHIBIT 70.

Copy of letter, Chas. Woodward to C. I. Hilton.

March 6, 3.

To Mr. HILTON,

DEAR SIR,—Since talking with you in reference to our building and the best way of protecting union labour, our company has decided to go into this if possible and try to carry out your views. Believing as we do that the best interest of our city would be served, as well as the city at large.

Now will you kindly give me in writing the different clauses you think desirable for the protection of union labour, and we will endeavour to have them incorporated in our building agreement with Mr. Cook, who has been awarded the contract of building our store.

We hope to be able to fetch around a more friendly and better state of things between Mr. Cook and your respective unions ; believing thereby to help to advance the prosperity of our city.

Kindly let me have these suggestions of yours on or before Monday forenoon, say 10 o'clock. If it is not convenient for you to deliver them to me, I will send for them if you will let me know by phone.

I am, respectfully,

CHARLES WOODWARD,
President.

EXHIBIT 71.

Copy of letter, Building Trades Council, Vancouver, to Chas. Woodward.

BUILDING TRADES COUNCIL,
VANCOUVER, B.C., March 9, 1903.

CHAS. WOODWARD, Esq.,
Department Store,
Westminster Avenue.

DEAR SIR,—I am in receipt of yours of the 7th inst. and note with pleasure the desire expressed by you on behalf of your company to bring about an understanding

between Mr. E. Cook and this council, and would state that there is no contractor in the city of Vancouver that this council would wish to be on friendly terms with more than with the same Mr. Cook, who has proved to be a stout opponent and would, therefore, make a strong ally.

The points that I would suggest for the protection of union labour in the building trade are as follows :—

Recognition of the Vancouver Building Trades Council and its card system, as now in force and effect, which of course carries along with it the rates of wages established in the various trades, or about to be established on the 1st of April; hours of work and overtime. All these minor points, however, are embodied in the point, viz., recognition of the council and running the job under the card system.

I am, dear Sir,
Yours obediently,

C. I. HILTON,
Business Agent.

EXHIBIT 72.

Copy of Circular signed by Building Trades Council, dated February, 1903.

VANCOUVER BUILDING TRADES COUNCIL.

February, 1903.

The folowing firms in the building and kindred trades are declared to be unfair to union labour. Union men will not work for them, nor on the same job with them. Contractors who sublet work to any of them will also be considered unfair to union labour and their names will be included in the next issue:—

Builders' Supply Men : E. Cook, Alexander street ; Columbia Clay Co., Anvil Island.

Carpenter Contractors: Carter, Albert E., 1440 Barclay street; McDonald, Duncan, Prior street; Cook, Edward, 1057 Nelson street; Findlay & Hardy, 1368 Hornby; McLuckie, John, 75 Sixth avenue; Strain, Frank, 867 Prior street; Williamson, George, 674 Seventh avenue, Fairview; Young, James, 1025 Comox street.

Bricklayer and Mason Contractors: Carter, A. E., 1440 Barclay street; Cook, Edward, 1057 Nelson street; Creason, George, 548 Sixth avenue.

Master Electrical Workers: Bushong, Ivan, 555 Hornby street; Globe Electrical Company (trades under two names), A. LePage, manager, 1025 Nelson street; LePage, Alfred.

Master Painters and Decorators: Davis, Wm., 472 Eighth avenue; Gray, ——, 1303 Hornby street; McLeod, ——, city; Parkes, S., 1777 Seventh avenue, Fairview; Tompkins, B. S., 229 Thirteenth avenue east; Tompkins, Charles, 146 Eleventh avenue west.

Master Plasterers: Barrett, P. I., 501 Gore avenue ; Churchill, Joseph, city ; Fleming, John, Cedar Cottage; Mitton Bros., Harwood street; Waite, Wm., city.

Master Plumbers: Morrison Brothers, Mount Pleasant.

By order,

BUILDING TRADES COUNCIL.

EXHIBIT 73.

Constitution and By-laws of Team Drivers' International Union of America. A. W. Brookes, Detroit, Mich. 51 pages.

EXHIBIT 74.

Copy of 'Daily World,' Vancouver, May 29, 1903.

EXHIBIT 75.

Copy of the 'Western Clarion,' Vancouver, dated May 23, 1903.

EXHIBIT 76.

Calendar for year 1903, with the words: 'The Gurney Foundry Co., of Toronto, makers of Oxford stoves and ranges, are unfair to organized labour. This firm also make gas stoves, radiators and furnaces. This fight has been endorsed by Toronto District Labour Council, Federated Metal Trades of Toronto, Dominion Trades Congress, American Federation of Labour, Iron Moulders' Int. Union, Metal Polishers' Int. Union, Stove Mounters' Int. Union.'

EXHIBIT 77.

Copy of Circular—'Refuse to buy Oxford Stoves and Ranges.'

If it is fair for the workingmen and women of Canada to support and purchase the goods of a fair manufacturer, why should we not condemn and refuse to purchase the goods of the unfair manufacturer? We appeal to the workingmen and women of Canada to help us in our fight against the Gurney Foundry Company, of Toronto. If you intend to buy a stove or range, bear in mind that this firm has tried to crush our organizations and is still fighting us; therefore be governed accordingly. All goods made by this firm bear the name of Oxford. You! Brother toiler, as a consumer, are the final arbitrator. You shall decide whether this firm shall have the right to crush our organizations to the earth, whether it is tyranny and oppressions or our unions, and their demands for justice, that shall triumph. Help us to win by telling your friends that Oxford stoves and ranges are on the 'unfair list' of organized labour. This fight will continue until it is won.

IRON MOULDERS' UNION, No. 28.
METAL POLISHERS' UNION, No. 21.
STOVE MOUNTERS' UNION, No. 14.

Pass to a friend.

EXHIBIT 78.

Constitution and By-laws of Building Trades Council, Vancouver, B.C. 'Independent' Print. 12 pages.

EXHIBIT 79.

Correspondence and Statement re Factory Hands' Strike, Vancouver.

May 14.

We, the undersigned employees, do hereby request that on and after the first of June the hours for labour be as follows—9 hours per day for 5 days; 5 hours on Saturdays; 50 hours to constitute a week's work; pay to remain same as for the present day of 10 hours; all overtime to be paid at the rate of time and a half.

Signed by

ALL FACTORY EMPLOYEES.

SESSIONAL PAPER No. 36a

THE BRITISH COLUMBIA LUMBER AND SHINGLE MANUFACTURERS' ASSOCIATION.

VANCOUVER, B. C., May 19, 1903.

Messrs. ROYAL CITY PLANING MILLS, City.

DEAR SIR,—I am instructed to forward you the following circular.

Whereas at a meeting of the B. C. Lumber and Shingle Manufacturers' Association it was unanimously agreed that it would be impossible for members to successfully operate their factory plants for but nine hours in competition with others which are operated for ten hours.

It is hereby resolved unanimously 'that all factories, members of this association shall be operated for ten hours per day.'

You are therefore, hereby notified of this resolution, and requested to post a copy of this communication in your factory for the information of your employees.

Yours truly,

R. H. H. ALEXANDER,
Secretary.

VANCOUVER, May 22, 1903.

The Secretary B. C. Lumber Association,
Vancouver.

DEAR SIR,—Referring to the request made by us on the 14th instant to the various factories, and to which you replied on the 19th instant, we have to inform you that at a full meeting of the factory employees held on the 22nd instant, it was unanimously resolved 'that we adhere to the resolution previously passed and forwarded to you.'

In the event of a strike being declared all present employees to be reinstated.

I am, dear sir, yours faithfully,

Secretary, Royal City Mills Factory.

NOTICE.

May 28, 1903.

All employees who decide not to continue work after June 1, for ten hours per day, are requested to remove their tools on Saturday and apply for their time.

BRITISH COLUMBIA MILLS TIMBER AND TRADING COMPANY
ROYAL CITY PLANING MILLS BRANCH
E. C. MAHONY,
Local Manager.

VANCOUVER, May 29, 1903.

To .. ..

GENTLEMEN,—On the 22nd instant, as a result of a unanimous resolution passed at a meeting of the Factory Employees of the various factories we forwarded a letter to Mr. Alexander, the secretary of the British Columbia Lumber and Shingle Manufacturers' Association, conveying to you the terms upon which the employees would work at the various mills, but, at the present time no reply has been received by our committee.

The following notice has been posted up at the mills:—

NOTICE.—All employees who decide not to work ten hours per day after June 1, will kindly remove their tools on Saturday and call at the office for their time.

(Sgd).

Are we to understand by this notice that the resolution we forwarded to you in good faith has been ignored by the factories ? At a meeting of the factory employees held this evening it was unanimously agreed upon that we respectfully request an answer to our former communication, and we regret to say that we cannot continue to work for the factories under any other conditions than those laid down in our letter of the 22nd instant. Be good enough to give us your decision by noon on the 30th instant.

Signed on behalf of the factory employees.

VANCOUVER, B. C., May 30, 1903.

Messrs. BOWMAN & DUNN.

DEAR SIRS,—Replying to your communication just handed to us by your factory foreman, Mr. Luke, *re* letter sent by you to Mr. Alexander, secretary of the British Columbia Lumber and Shingle Manufacturers' Association, in connection with your request of a nine-hour day, and your suggestion that the employees have been ignored, inasmuch as no reply had been received from that quarter, we beg to point out that the communication from the secretary was not addressed to the employees, but, on the contrary, was in the nature of instructions to each establishment affected.

Therefore we feel that the ignoring is entirely on your part in not forwarding your communication direct to us.

Respecting the notice posted in our factory under date of 28th instant, we can only say that our decision is final, and we regret that employees who have been with us so long should see fit to sever their connections with our company.

Yours truly,

BRITISH COLUMBIA MILLS TIMBER AND TRADING COMPANY
ROYAL CITY PLANING MILLS BRANCH

E. C. MAHONY,

Local Manager.

THE FACTORY WORKERS' STRIKE.

The factory workers of Vancouver and New Westminster, numbering about 90 in Vancouver and 37 white men and 20 Japanese and Chinese, in New Westminster, are on strike, with a demand that they be conceded a nine-hour day at the same rate of pay as at present. These men are at the present time paid at a minimum rate of 27½ cents per hour for mechanics, with a maximum of 32½ cents per hour to bench hands.

The labour represented by these men is skilled, and represents machine workers and bench hands.

Their demand is shortly, that they are able to turn out as good and as much work in a nine hour day, and should not be asked to work longer. They ask the same rate of pay as they are now earning in ten hours. They desire Saturday afternoons off, and that fifty hours shall constitute a week's work.

This is not essentially a union strike, as all the factory workers now making demands are not necessarily union men. The demand has been made by the individual workmen upon their separate employers. The reply, however, has come to them from the Lumbermen's Association, and their demands have been refused. Reasonable notice was then given by the factory men that on the first of June, unless their demand was acceded to, they would cease work. In reply they were each served with a notice that those of them who did not desire to work the full ten hours under the arrangements as heretofore existing, would be expected on the first of June to remove their tools and apply for their time.

All the factory hands in Vancouver and New Westminster, with the exception of one sticker man and a boy, have ceased work. This applies to the Royal City Mills,

Vancouver and New Westminster; to Heaps & Co.'s mill, Vancouver; to the Vancouver Sash and Door Factory, Vancouver; and to Robertson and Hackett, Vancouver.

The carpenters, bricklayers, plumbers, and painters of Vancouver have all been accorded an eight hour day, their demands having so far as the carpenters been conceded as the result of a strike for better conditions this spring.

The millmen will meet the strike either by shutting down, or by importing labour from eastern Ontario, or from the United States.

The millmen have met the situation by a combination which has for its object the boycotting of the striking factory hands. As an evidence of this, H. D. and J. H. McGregor, two brothers, having applied to Stanley J. Stevens, foreman or partner with Mr. Limpkie, who is engaged on the construction of the Fee building on Granville Street, were turned off the said job after having started to work on June 3rd, by Mr. Limpkie.

Mr. Limpkie is a member of the Builders' Exchange, an organization composed of contractors.

It will be remembered that evidence was adduced on Saturday last, June 13, during the sitting of the Commission, to show that these contractors during their strike with the carpenters, had called the millmen to their assistance and established a boycott of union strikers by refusing to supply lumber or material of any kind to any one who employed union labour. It now appears that the millmen have obtained from the contractors assistance along the same lines, and the contractors are now, for the purpose of assisting the millmen, refusing to employ striking factory hands.

Mr. Limpkie, when discharging the McGregor brothers, stated that the Builders' Exchange, on the previous night, had passed a resolution to the effect that no striking workers would be allowed to work on outside buildings. This statement was made in the presence of E. H. Macey, who can corroborate the evidence of the McGregors.

It is understood that the resolution passed by the Builders' Exchange for the purpose of helping the millmen, goes further, and states that none of the striking factory hands will be allowed to work at any factory other than the one where they have previously been employed.

It would appear that a combination of employers has been made for the purpose of meeting and resisting every demand of labour, whether the demand be a reasonable one or the reverse. It is difficult to foresee what the future will be if combinations of employers are made for the purpose of coercing the employees irrespective of questions of right or wrong.

The factory hands are willing to submit their position to the arbitration of a properly constituted board, and they urge the following considerations as reasons why their demand should be acceded to:—

1. Ten hours, as in other trades and under like circumstances, are too long for a day's work.

2. That a man can do as much in nine hours in most cases as in ten.

3. That the factory dust, especially where cedar is exclusively used, is injurious to the health, the cedar dust containing much poisonous matter.

4. That if carpenters outside factories are worth 40 cents per hour, the factory man should be worth 33½ to 35 cents per hour.

5. That no other trade or industry is working more than nine hours, and in many similar employments not more than eight hours.

6. Factory men, in addition to their long hours, suffer much inconvenience and some loss in the withholding of their earnings in the following manner:—

The Vancouver Sash and Door Company pay semi-monthly, withholding two weeks' back pay. The Royal City Planing Mills pay on the 24th of the month, holding back 24 days' pay. Robertson and Hackett pay on the 20th of each month, holding back 20 days' pay. Heaps and Company pay on the 15th of each month, holding back 15 days' pay. The interest and use of this money would be of much value to the workmen. As it is, in addition to the grievances under which the men suffer, from $5,000 to $10,000 of their wages properly earned, are left in the hands of their employers for the benefit of their employers or their bankers.

If blowers were kept generally in operation during working hours in all the mills, the danger to employees from the dust would be much reduced. To keep these blowers in operation, however, costs the employers something, and without proper enforcement of sanitary conditions in factories the men will continue to be laid off from time to time in ill-health on account of breathing the poisonous atmosphere.

Some of the factories recognize this condition, and work blowers part of the time. They should be worked continuously and generally.

To allow men a nine-hour day and a half day on Saturday would enable them to bring greater energy and more heart to their employment.

Where the action of the workmen depends entirely upon machinery, it may be conceded that more work can be got through in ten hours than in nine, but during the later hours of the day, or while a man is fatigued, much greater chance of accident and casualty is run.

When one considers the profits that the millmen are making as compared with the cost of production of the articles they have for sale, the demand of the factory workers seems not only reasonable, but trivial. The cost of living is rapidly increasing. The combinations of the trusts and of the employers have a tendency which has been exhibited in every line to raise the cost to the consumer.. To labour must be ascribed the production of all commodities, and even a cursory examination will disclose the fact that they receive a mere trifle of what they produce.

The demand of the striking carpenters this spring resulted in a recognition that the wages did not keep pace with the increased cost of living.

A memorandum attached hereto gives a statement of the cost of production of some of the commodities offered for sale by the millmen, the commodities being those produced by the factory workers now on strike. These statements have been carefully prepared and their accuracy vouched for by the undersigned.

Dated at Vancouver, this 15th day of June, 1903, and signed on behalf of the factory workers by

J. EDWARD BIRD,
On behalf of the factory workers on strike.

BRITISH COLUMBIA TO WIT:

In the matter of the factory workers' strike and of their demands for a nine hour day with half holiday on Saturday.

I, Major S. Williams, of the city of Vancouver, in the Province of British Columbia, glazier, having had twenty-three years' experience in sash and door work in every branch of that industry, and I, Alma Pengelly, of the same place, carpenter, do solemnly declare that I have gone into the statement hereunto annexed marked 'memorandum of cost of production of certain articles produced at the factories mentioned in the annexed memorandum,' and I say that the estimate given in such memorandum of the cost of production of the door and window and of the other things mentioned therein, is a fair and reasonable estimate, allowing every doubt in favour of the millmen. The figures therein set forth as an estimate of the cost of production of the articles is, if anything, excessive, and I believe that the articles mentioned can be produced at even a less cost, and I make this solemn declaration in conjunction with the other party above mentioned conscientiously believing the same to be true, and that this declaration has the same force and effect as if made under oath and by virtue of the Act respecting 'Extra Judicial Oaths.'

Affirmed by Major S. Williams and Alma Pengelly, before me at the city of Vancouver, in the province of British Columbia, this 22nd day of June, 1903.

MAJOR S. WILLIAMS.
A. PENGELLY.

J. EDWARD BIRD,
A Notary Public in and for B.C.

SESSIONAL PAPER No. 36a

MEMORANDUM OF THE COST OF PRODUCTION OF CERTAIN ARTICLES NOW PRODUCED AT THE FACTORIES MENTIONED IN THE ANNEXED MEMORANDUM.

1. A door 2 ft. 8 in. x 6 ft. 8 in. x 1½ in. can be produced at a cost of 71 cents. This includes material estimated at $22 per thousand, the labour and a reasonable allowance for the hire of machines. This door is sold at $2.75.

2. A window 24 x 30 x 1½ in., with two lights, including glazing and all complete, can be produced at $1.16 and retails at $2.75.

3. Two men working six hours and one man working ten hours will earn at a mauling sticker a profit of $65 clear, reckoning material at $22 per thousand. Their joint production sells for $100. The labour, material and hire of machines totals $35.

4. All other articles of commerce produced at the factories can be shown to be produced at about the same ratio of cost and profit.

EXHIBIT A.

Constitution and By-laws of the Western Federation of Miners, headquarters at Denver, Colorado.

EXHIBIT B.

Copy of Miners' Magazine, official organ of the W.F.M., for the month of April, 1903.

EXHIBIT C.

Constitution and By-laws of the Brotherhood of Boilermakers and Iron Shipbuilders of America.

EXHIBIT D.

By-laws of Boilermakers and Iron Shipbuilders, Victoria Lodge, No. 191. G.S.R. Co. Print, Victoria, B.C., 4 pages.

EXHIBIT E.

Constitution and outline of the American Federation of Labour, headquarters, Washington, D.C.

EXHIBIT F.

List of organizations affiliated with the American Federation of Labour, issued by A.F. of M., at headquarters in Washington, D.C.

EXHIBIT G.

Constitution and By-laws of the B.C. Steamshipmen's Society of Vancouver and Victoria, B.C., 28 pages.

EXHIBIT H.

Constitution and By-laws of Shipcarpenters and Caulkers' Association of the ports of Victoria and Esquimault, No. 29. Victoria P. and P. Co. Print, 27 pages.

EXHIBIT I.

Constitution and By-laws of the International Brotherhood of Blacksmiths, Molme, Ill., 1901, 47 pages.

EXHIBIT J.

Constitution, By-laws and Rules of Order of the Bricklayers' and Masons' Local Union of Victoria, B.C. Victoria. Thos. R. Cusack Co. Print, 1902.

EXHIBIT K.

Constitution and By-laws of the Victoria Capital Division, No. 109 of the Amalgamated Assocition of Street Railway Employees of America. Banfield & Jewell Presses, Victoria, B.C., 1902.

EXHIBIT L.

Constitution of Amalgamated Association of Street Railway Employees of America.

EXHIBIT M.

Constitution of International Typographical Union. International Typographical Union, Nos. 7 to 12 DeSoto Building, Indianapolis, 1903.

EXHIBIT N.

Amalgamated Society of Carpenters and Joiners' Monthly Report for January, 1903. Published at Manchester, Eng.

EXHIBIT O.

Constitution and By-laws of the Victoria Trades and Labour Council. 'Colonist Press,' Victoria, 1900, 17 pages.

EXHIBIT P.

Rules of the Amalgamated Society of Carpenters and Joiners (Canadian Edition), Toronto. J. S. Williams, Typo., 73 Adelaide, 163 pages.

EXHIBIT Q.

Monthly Report of Amalgamated Society of Carpenters and Joiners for the American and Canadian District. Published at New York, April, 1903.

EXHIBIT R.

Copy of 'Railway Employees' Journal,' published at San Francisco, Cal., dated April 9, 1903.

EXHIBIT S.

Constitution and By-laws of the Journeymen Stonecutters' Association of North America. 32 pages.

EXHIBIT T.

Constitution and By-laws of the Victoria Branch of the Journeymen Stonecutters' Association of North America. Victoria, Thos. Roarke & Co., Printers, 28 Broad Street, 22 pages.

EXHIBIT U.

The 'Miners' Magazine,' the Official Organ of the Western Federation of Miners for January, 1903. Published at Denver, Col.

EXHIBIT V.

Constitution and By-laws of the Nanaimo Miners' Union, No. 177, W.F.M. Nanaimo 'Free Press' Print, 20 pages.

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